

Book Review

China and the South China Sea Imbrolio

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*Pooja Bhatt, Nine Dash Line:
Deciphering the South China Sea
Conundrum, 2020, New Delhi: KW Publisher*

The South China Sea (SCS) has again become a flashpoint in the geopolitics of the Indo-Pacific region. The SCS is a contested zone among six countries --China, Taiwan, Vietnam, Philippines, Indonesia and Brunei. The claims and counter-claims on its islets and waters have remained unresolved for decades and are now a source of an ongoing conflict in the region largely because China has claimed the entire Sea as its territorial waters and exclusive economic zone. It has militarily seized atolls and islets from the other claimants, especially Vietnam and the Philippines, and over the past six years built artificial structures and naval facilities on disputed submerged islets. Amid the COVID-19, China has continued to move aggressively in the SCS region. It has set up two new administrative units for the maritime region under the local government in Sansha city of Hainan Province. In 2012, Sansha was declared as a prefecture-level city in the Hainan province. This has become a fresh source of conflict between the claimants.

Declaring SCS as a Chinese 'core interest' involving sovereignty went through several rounds of churning in the Chinese diplomatic circle. In March 2011, Hillary Clinton while speaking in Vietnam said that the US has a "national interest" in the stability and open international waters of the SCS. Soon thereafter the Chinese Communist Party mouth piece *Global Times* published an editorial that linked SCS to the core interest of China. *People's Daily* posted a survey in which it asked the readers to label the SCS as a "core interest", in which 97 per cent voted in favour. The Chinese claims on the SCS and its rapid military build-up and occupation of islets has aggressively grown since then and become a delicate issue in the growing US-China dispute.

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The Ruling by the Permanent Court

The book was written in the backdrop of the ruling by the Permanent Court of Arbitration (PCA) of the International Court of Justice on 12 July 2016 on a case filed by the Philippines against Chinese claims and self-proclaimed historical rights. The Court did not find any historical or past administrative evidence of China's exclusive claims-- based on its NDL --of rights over the waters and resources of the region based on its 'Nine Dash Line'. It also stated that "rocks that cannot sustain human habitation or economic life of their own, shall have no exclusive economic zone or continental shelf." It also stated that China had failed to honour the Convention on the Laws of the Sea, and had violated the EEZ of the Philippines by forcibly occupying islets and reefs within it. The judgment has wide ramification for the developments in the maritime arena. The book is spread over eight chapters that capture the essence of the SCS dispute and China's claims on the basis of a unilaterally advanced 'Nine-dash-Line (NDL). The central argument of the book revolves around the Nine-Dash Line (NDL), and says that such an arbitrary claim line in a "contested" area of sovereign claims is the principal source for the growing conflict in the SCS. On the contrary, all the countries should have ensure that the SCS remains an uncontested maritime region, free and open to all.

The author describes succinctly the factors that led to the evolution of China's claim line from the ten-dash line to eleven-dash line and finally to the NDL. The book goes on to describe the importance of the geographical location of the NDL to include uninhabited territories, vital natural resources, and the SLOCs that run through the SCS. It lists the bilateral/trilateral disputes within the NDL and brings out an interesting aspect that after the 2016 verdict, China has not mentioned the term NDL in its official documents.

It competently discusses the international laws about the disputes and also the Chinese maritime laws that lay out China's position. China's position on United Nations Convention on the Law of the Sea (UNCLOS) corresponds to the stance that it took in its declarations in 1996 and 2006. It highlights the legal loophole provided by the UNCLOS in declaring exceptions in certain crucial issues as the reason behind the silence of the international legal community on the SCS dispute. Moreover, the issue has become more complicated with the US refusing to consider China's call to foreign military ships to seek its permission before entering its claimed territorial waters in the SCS.

Territorial Expansion and the 'China Dream'

The author argues that the NDL needs to be seen as an integral part of the larger canvas of "China rise" and territorial expansion relating to the "China Dream". There is a link

between China's concept of the rise to power and the significance of the NDL as a means to realise the Chinese Dream. The Defence White Papers have further buttressed Chinese claims flowing from the NDL. It establishes a correlation between Chinese rediscovery of the SCS islands in the 1980s and its changing foreign policy. China, however, maintained ambiguity on NDL in the map that was submitted to the United Nation in 2012.

The claims and counterclaims of the six claimants, including China in the region and the role of the external powers, are competently explained. The evolving economic and security interests are a major reason for the SCS littorals to claim the resources and SLOCs and history has become a tool to bolster these claims. Geographically, the SCS is a part of the Ocean system but geopolitically it has turned into an ambiguous concept. The SCS is peculiar as it is both a contested space by the coastal states as well as a crucial global maritime common (both disregarded by China). China's NDL overlaps EEZ of all the other claimants. Thus making the SCS a zone of both conflict as well as cooperation.

PLA's Belligerent Role

After explaining the region in detail the book explicates on the serious security situation of the region. It delves into the nature of the military and other belligerent activities carried out by the People's Liberation Army (PLA) naval and air force counterparts in the SCS. Besides People's Liberation Army –Navy (PLAN) there is the presence of Chinese Coast Guard and Maritime Militia. The function and behaviour of the forces is to control territory and resources in the vast disputed region, including the Sea Lanes of Communications (SLOCs), to advance its maritime claims and to expand its Naval presence in order to establish China's role and interest as a global power. The ambiguous position of the search and rescue operations of ships under international law enables the PLAN to conduct exploration in the high seas. As China expands its arc of maritime operations, claiming it as a part of its 'rights and interest', it continues to work around the existing laws and accepted norms to constantly challenge the peace and stability of the SCS and establish an alternate system based upon "Chinese Characteristics".

The book expounds on the economic importance of the SCS. Besides, the SLOCs are significant for the security of the coastal states. China's unilateral NDL encompasses approximately 80 per cent of the entire SCS and its resources. This is bound to exacerbate instability and disputes, and have wider ramifications on maritime trade routes and the global economy. The chapter explores the plausible scenarios from the Chinese, US and the ASEAN perspectives. Economics is powerful factor in shaping claims in the SCS. Therefore, the SCS stakeholders need to take steps to firmly declare the waters beyond the EEZ as

high seas to be governed according to accepted international norms and laws. This can prevent unilateral claim by any country such as China on the SCS resources.

Environmental Damage

The book discusses the Non-Traditional Security (NTS) aspect of the region through an environmental perspective. The waters around the SCS are rich in resources and enables the fishery industry to support the economies of the coastal states. The SCS environment forms a crucial part of the "Global Commons" and, therefore cannot be governed or regulated by any one country or a small group of countries. All the coastal states that form part of the immediate regional order need to be taken as primary stakeholders in ensuring a sustainable environment in the region. The author delves into the importance of the marine resources within NDL region of the SCS and the damages caused to the marine life and ecosystem due to Chinese activities. Since China's air and water have become toxic due to heavily polluting industries they are becoming dependent on the resources of the SCS. Simultaneously, China's environmental stance at the global level has also seen a gradual shift with its joining multilateral regimes such as the Kyoto Protocol. It points out the dichotomy between China's environmental stance at the domestic and international levels and its actions in the SCS. The Chinese unilateral actions along the NDL raise doubts over its environmental commitments.

Overall, the book has tried to place the NDL within China's grand strategy. The NDL claims to connect several dots, ranging from the past, to the present, as well as aligning China's domestic vision to its international ambitions. China's approach to the SCS issue is symbolic of its ambition to become a global power. Further, the use of history, laws, trade, environment and military force can be seen as the means to achieve this aim.

The artificial islands created by China serve two-purposes: one, the construction of runways, installation of surface-to-air missile (SAMs) and the supporting dual-use infrastructure helps as forward military posts in the SCS, increasing the operational perimeter for the PLA. The second is the implication it has for building its claims on the territorial waters and EEZs of the Islands.

The book is a comprehensive analysis of the development in the SCS through multiple dimension. However, it does not relate the SCS to the One Belt One Road, especially the Maritime Silk Road. To sum up, the book is a valuable addition to the existing literature on the SCS and on China's rapidly evolving domestic and foreign policies.