

MARITIME STRATEGIC EVALUATION FOR ISRAEL 2020/21

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Strategy and Culture in the South China Sea Conflict

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This article describes the geostrategic and geopolitical situation in the South China Sea, the setting for a decades-long conflict over sovereignty between China and the other countries in the region. The article also surveys a number of strategies and actions taken by China, some of which are based on Chinese culture and history and which give China an advantage in the current conflict.

Past and Present

In April of 2020, at the height of the Corona pandemic, China published a list of names of 80 islands and shoals in the South China Sea. These were the historic Chinese names of the islands that are at the core of the prolonged conflict over sovereignty in the South China Sea and over the islands located in it. In a non-conventional move, 25 of the names were given to islands that include 10 sand-dune ridges (in Chinese: Sha), two small shoals and 13 shoals and reefs in the area controlled by Vietnam. Another 55 names were given to underwater mountains and ridges that are exposed only at low tide. According to international law, as it appears in the Convention of the Sea, (UNCLOS, 1982), China has no sovereign rights to these islands.

The determination of the restored names (the last time this occurred, in 1983, 287 names were determined for 287 geographic land formations) took place one day after China announced the establishment of two new administrative districts in the South China Sea, which will be under the 'Sansha' district. The two new districts are 'Xisha' and 'Nansha', which are the Chinese names for the 'Paracel' and 'Spratly' islands. This constitutes the creation of another fait accompli in the "strengthening" of China's claim of sovereignty. At the same time, China sent a research ship into waters over which Vietnam and Malaysia claim sovereignty, which constituted an open provocation.

At the same time, there was an incident in which a Vietnamese fishing boat was rammed and sunk by a ship of the Chinese coast guard. Chinese vessels also penetrated into Malaysian waters a number of times. US naval vessels patrol the region (since 2010) as part of the Freedom of Navigation Operations (FONOPS). The American presence was reinforced when President Obama declared the Pivot to Asia policy and since then the US has held naval and aerial exercises in the region. During 2020, there has been aerial activity involving helicopters and F35B aircraft, as well as B1 bombers, which are carrying out presence patrols in the region in order to demonstrate the US air force's ability to operate there. There are also patrols by

EP-3E and RC-135U planes (naval patrol planes and advanced intelligence planes). At the same time, the US is again issuing diplomatic protests against China activity, and the tension between the countries is rising. In contrast, the government of Malaysia announced that the Chinese research ship in its economic waters is operating according to law, and the President of the Philippines has announced his support of China, contradicting declarations by his foreign minister.

The US took a harder line starting on July 13th, 2020. Until that date, it took a neutral stance and only issued protests with regard to the conflict. The US also issued unambiguous diplomatic condemnations, including public recognition of the verdict by the Court in The Hague, handed down in July 2016. The US Secretary of State has declared that China does not have any legal basis for its activities in the region, such that the world will not allow it to relate to the South China Sea as China's "maritime empire". In addition, there is increased US military activity both in the air and the sea, which did not take place at all during the period 2012–15 and which is intended to demonstrate its capabilities and presence according to international law. This further intensified the tension in the region (although it should be mentioned that the US is not signed on the 1982 Convention of the Sea- UNCLOS).



Figure 1: the USS Ronald Reagan aircraft carrier, the USS Boxer amphibious assault ship and auxiliary ships in a naval exercise in the South China Sea, October 6, 2019¹

The US has no claims of sovereignty in the region, such that all of its activity is meant to show support for its allies and essentially is a show of opposition to China's aggressive actions, as part of its efforts to maintain the existing world order. It can

1 Richard Javad (22 November 2019), US, China sea tensions hit new boiling point, AsiaTime <https://asiatimes.com/2019/11/us-china-sea-tensions-hit-new-boiling-point>

be assumed that this activity is a result of the failure to resolve the problems and disagreements between China and the US through diplomatic means and of the increased tension between the countries as part of the trade war between them. Despite the presence patrols and the diplomatic protests, it appears that the US was too late in understanding the significance of Chinese activity, including the impressive buildup of power of the Chinese navy in recent years. Already at the end of 2019, the Chinese navy, according to the report of the US Congress Research Service, had 335 warships as compared to the 285 ships of the US navy.² According to a study by the US Naval War College, China will have 430 ships and 100 submarines in 2035, which is apparently double the number that the US will have. (On September 30, 2020, it was reported that a new program is being considered to enlarge the US navy, such that it will have 581 ships, in response to the growing threat from the Chinese navy).³ The apparently incorrect assessment (which is partly due to the weakness and lack of preparedness of US Intelligence with respect to the intentions of the Chinese Communist Party and the lack of intelligence and understanding regarding the decision-making process of the Chinese regime)⁴ that the artificial islands and weaponry deployed on them is not a serious or significant factor led to the long period of complacency. Thus, the Chinese essentially control the South China Sea at this point in time, and it is their intention to declare, apparently in the not too distant future, the region to be an Air Defense Identification Zone (ADIZ) (similar to the declaration made by China in the East China Sea in 2013).

The expansion of activity by US forces: The US navy, marines, army and air force all intend to challenge China's behavior. These activities can be classified into six groups, with some overlap between them: declarative actions (primarily freedom of navigation in the sea and the air); demonstration of presence (demonstration of force by means of ships, submarines and planes in patrol activity); intelligence activity for the gathering of information (by spy and patrol planes, submarines and oceanographic research); military exercises and training (by land, sea and air forces including cooperation with individual countries or exercises involving a number of

- 2 Steven Lee Myers(26 June 2020), China's Military Provokes Its Neighbors, but the Message Is for the United States, New York Times. <https://www.nytimes.com/2020/06/26/international-home/china-military-india-taiwan.html>
- 3 Paul Mcleary (30 September 2020), DoD Ponders 581-Ship Fleet, As Navy Shipyard Problems Persist, Breaking Defense. <https://breakingdefense.com/2020/09/dod-ponders-581-ship-fleet-as-navy-shipyard-problems-persis>
- 4 Adam Schiff (30 September 2020), The U.S. Intelligence Community Is Not Prepared for the China Threat, foreign affairs. <https://www.foreignaffairs.com/articles/usa/2020-09-30/us-intelligence-community-not-prepared-china-threat>

countries, some which are in the context of defense alliances); development and testing of operational and fighting tactics (in possible confrontations with China and relating to the South China Sea as a potential theater of battle); and deterrent activities (by amphibious task groups, battle groups of aircraft carriers, presence of nuclear attack submarines armed with ballistic missiles and flights of strategic bombers).

The Chinese naming of the islands and shoals is taking place at a time when the Association of Southeast Asian Nations (ASEAN) is, together with China, involved in the formulation of a Code of Conduct in the South China Sea. This process began as a demand in 1995 following the takeover by China of a shoal within the waters of the Philippines. China agreed in 1999 to begin discussions, which essentially only started in 2002, and at that time a document was published entitled the Declaration on the Conduct of the Parties in the South China Sea.⁵ The goal of this document was to ratify the understanding among all of the countries in the region with respect to maritime, practical and environmental matters in the South China Sea and their resolution, with the intention of establishing friendly relations and cooperation in the resolution of conflicts. The document was based on the joint declaration in 1992 by the ASEAN countries which is in turn based on a 1976 document entitled 'Treaty of Amity and Cooperation in Southeast Asia'.⁶ In 2018, the sides agreed that discussions should be completed and the code published in 2021. During the many years of discussion, the principles of the code and its clauses were not common knowledge and not within the public domain. The delays and deferral are the result of the Chinese negotiating policy not to produce an agreement, since China is liable to find itself in an inferior position, from the viewpoint of both the agreement itself and international law. It can be assumed that the completion and ratification of the document will be deferred due to the Corona pandemic.

Simultaneous with the aggressive activity of China and its position with respect to its rights to sovereignty, and despite difficult domestic problems as a result of the Corona pandemic, China has provided assistance and support to the ASEAN countries, some of which have been involved in protracted conflicts with China in the South China Sea. These activities included the provision of 100 million masks and

5 DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA, Association of South Asian Nations (ASEAN). https://asean.org/?static_post=declaration-on-the-conduct-of-parties-in-the-south-china-sea-2

6 Treaty of Amity and Cooperation in Southeast Asia Indonesia, Association of South Asian Nations (ASEAN), (24 February 1976). <https://asean.org/treaty-amity-cooperation-southeast-asia-indonesia-24-february-1976>

19 million biohazard suits, as well as an assistance grant in the amount of \$5 billion offered by the Asian Infrastructure Investment Bank (AIIB), which is an international investment bank in which China has a leading role and which is part of the Belt and Road Initiative (BRI). This phenomenon of separating aggressive diplomatic and military activity from economic activity and foreign policy is part of the history of foreign relations in Asia as far back as the imperial China.

At the annual conference of ASEAN in June 2020, the countries raised the concern that China intends to continue its aggressive activities. For the first time, they presented a united diplomatic front against Chinese activity and its demands for almost complete sovereignty in the South China Sea. The Prime Minister of Vietnam warned that the continuation of the conflict threatens regional peace in the areas of policy and economics and added that the uncertainty is a threat to peace and stability.⁷ The decision published by Vietnam (the current president of the organization) stated: *"We are reaffirming that the 1982 UNCLOS is the basis for defining maritime rights, sovereign rights, jurisdictional authority and the issue of legality of maritime territories."* In September 2020, the foreign ministers of ASEAN published a statement calling for the cessation of all illegal activities in the South China Sea, including the construction of the artificial islands and the deployment of weapons on them and the disruption of fishing, and called for a resolution of all problems according to the 1982 Convention of the Sea, again without any mention of China.

However, and despite the new US stance, its open and explicit support of the international court from 2016 and the intensification of its activity in the region, the ASEAN states have not changed their policy in practice and they did not go any further than simply making declarations.

There are also islands under the sovereignty of Vietnam, Malaysia and the Philippines...

Recall that the Chinese activities, which included the construction of seven artificial islands (nicknamed the Great Wall of Sand) in the Spratly island group starting in 2013 and their conversion into military strongholds, including airstrips, harbors and weapon and detection systems, were not halted by the decision of the International Court in The Hague, handed down in July 2016. Chinese diplomatic activity has

7 Bickerton, J. (11.09.2020), South China Sea: Beijing joins new negotiations in bid to prevent all-out war, Express. <https://www.express.co.uk/news/world/1333650/south-china-sea-news-Beijing-world-war-3-ASEAN-Vietnam-Philippines-conflict>

continued using the Chinese "salami-slice strategy" After creating facts on the ground, separate negotiations are held with each country and the outcome in most cases involves the provision of economic and military support to the complaining countries, which are using various means in order to resolve the situation; however, in practice, there is no change. The ASEAN countries have not managed over the years to come to a full consensus, which is the required method of decision making according to the ASEAN constitution. This is because Cambodia, Laos and Myanmar, which have close economic, political and military ties with China, have objected any decision that is not favorable to China.

Notwithstanding the impression that it is only China which is establishing facts on the ground, the other countries that are parties to the conflict have also taken control of a number of islands over the years. On some of these islands. there has been activity to transform them into "military outposts", as well as creating tourist and diving resorts there, with the goal of demonstrating presence and sovereignty. Vietnam and Malaysia are the main countries involved in these activities.

While most of the islands in the Paracel group have been under Chinese control since the mid-1950s and full control was achieved in 1974 following a military confrontation with South Vietnam, the situation in the Spratly Islands is more complicated. Apart from the problem of identifying the natural dryland formations, the shoals, the rocks and the sand dunes, most of which are above water only during low tide, the involved countries have taken various steps to establish their presence in the islands. This has been accomplished by the construction of facilities for the temporary or permanent housing of small military forces, the construction of observation towers and lighthouses that remain above water even during high tide and by means of patrols carried out by the navies and coast guards, and in particular by means of intensive fishing activity. In view of the claims of sovereignty by a number of countries, the legal situation is unclear. It is unclear which country has sovereignty and whether these shoals and reefs fit the definition of a "habitable island" as specified in the Convention of the Sea, which would make it possible to demarcate sovereign waters.

Since 1988, Vietnam has taken control of 21 dryland formations, including shoals, rocks and sand dunes, on which it has established 34 structures. It has created platforms of between 100 and 250 square meters on some of them, made of wood or metal and built on piles. Vietnam considers some of them to be part of the Spratly islands within its Exclusive Economic Zone, according the definition in the 1982 Convention of the Sea.



Figure 2: Vietnamese "outposts" on shoals in the Spratly Islands⁸

The Philippines controls nine of the Spratly Islands and maintains a presence on them. Of those, eight are above the surface even at high tide. Since 1978, it has stationed small military units (of four soldiers) on five of the islands and shoals. On a different island, called the 'Second Thomas Shoal' (only exposed during low tide), they have placed an old landing craft onto the shoal which serves as an outpost for the soldiers that guard the island and maintain a presence.



Figure 3: A military outpost and observation tower on the Flat Island under Philippine sovereignty and the "grounded" landing craft on the Second Thomas Shoal

Since 1970, Malaysia has been demonstrating its sovereignty on five islands and has built facilities on them which are manned by naval commandos. It built a runway on the Swallow Reef island and has turned it into a tourist and diving resort.

Brunei is claiming sovereignty on only one coral atoll in its economic waters and in a 2009 agreement with Malaysia, which is also claiming sovereignty over this oil-rich area, it obtained control over 'Louisa Reef', which includes two areas of oil exploration.

8 Spratly Islands — a zone of possible military conflict in South-East Asia, (2 August 2013), Survincity. <https://survincity.com/2013/08/spratly-islands-a-zone-of-possible-military/>; Lighthouses of the Spratly Islands. <https://www.ibiblio.org/lighthouse/spr.htm>



Figure 4: The Malaysian island of Swallow Reef⁹

OCCUPANTS* ● China ● Malaysia ● Philippines ● Taiwan ● Vietnam ○ Reported reclamation/construction



Figure 5: Islands and shoals in the Spratly Islands and under the sovereignty of five countries¹⁰

The country that is most determined in responding to the Chinese activity in the region is Vietnam, which has been a communist country for many decades and is closely aligned ideologically and politically (ostensibly, at least) with China. Nonetheless, it has taken a leading role in responding to Chinese aggression. Vietnam

9 Adrian David (4 march 2019), How Malaysia's five naval stations at Spratlys were built, New Straits Time. <https://www.nst.com.my/news/nation/2019/03/465854/how-malaysias-five-naval-stations-spratlys-were-built>

10 Greg Torode and Manuel Mogato, (29 May 2015), One thing people don't realize about the disputed islands on the South China Sea, Reuters. <https://www.businessinsider.com/r-civilians-emerge-as-pawns-in-south-china-sea-legal-chess-game-2015-5>

differentiates between responding to the Chinese activity and its overall political, economic and even military relations with China. This differentiation has an effect on the character of the responses, which primarily take the form of diplomatic protests. Nonetheless, Vietnam has recently adopted a more aggressive stance, particularly in the encounter between its fishermen and Chinese coast guard vessels; however, in all of the incidents it is in an inferior position.

China's policy and behavior in a crisis

During the decades of the conflict in the South China Sea, China has adopted various strategies, according to the circumstances and the geopolitical situation, and its foreign policy and military activity are determined accordingly. In some of the cases, China has acted aggressively and with determination while in others it has adopted less of a hard line that it could have. But there is no doubt that all of its actions are connected to China's growing power, whether in the economic arena, the international arena or the military arena. Its policies are intended to challenge the status of the US in general and in particular to achieve full control in the South China Sea.

One of the main elements in China's behavior in the South China Sea conflict has been to maintain an impressive military presence. This has been manifested in "policing" operations by the coast guard and the navy against the countries in the region and the presence of tens of thousands of fishing boats, as well as the construction of the artificial islands and their militarization and in particular the naval exercises that have included advanced naval vessels of every type, including nuclear submarines and aircraft carriers.



Figure 6: Exercises of the Chinese navy in the South China Sea, September 2020¹¹

11 Aw Cheng Wei (18 September 2020), China can safely drop nine-dash line in South China Sea and win friends in Asean: China expert, The Straits Time (Photo AFP). <https://www.straitstimes.com/asia/se-asia/china-could-safely-drop-nine-dash-line-in-south-china-sea-and-win-friends-in-asean-china>

The goals of the Chinese Communist Party are to maintain social stability with the goal of preserving its status and regime. This is also the purpose of its foreign policy in recent years, which is working to rehabilitate and improve China's global status and restore Chinese position in the world as at historic imperil China. China's behavior in the South China Sea conflict is part of its strategy to wipe out the "Century of Humiliation"¹². In addition to the region's strategic importance as a primary sea route for the transport of goods and energy, in addition to its role as the line of defense for southern and western China (AD/A2), the region has major economic importance for China, primarily with respect to fishing and deposits of oil, gas and minerals.¹³

The statements of China in various forums, and primarily its assertive behavior on the basis of the declaration of Chinese indisputable sovereignty over most of the territory in the South China Sea, are illustrated by the words of the Chinese Foreign Minister already in 2010 at an ASEAN meeting: "China is a large nation and all the rest are small nations and that is a fact." In view of this statement and Chinese behavior, it appears that China is adopting the position of the "neighborhood bully". But its foreign policy is essentially based on, among other things, a strategy that was adopted hundreds of years before the start of the South China Sea conflict and has been updated and honed over the years. At the core of the Chinese strategy is the definition of National Core Interests which include issues on which China will not make any concessions or compromises. The first and foremost issue is the stability of the Chinese Communist Party and the socialist system. The second is the protection of its sovereignty, its territorial integrity and the unity of the Chinese people. The third is social and economic development. As necessary, China will use force, as a last resort, in order to protect these interests.

The strategy of "hardening the hard, softening the soft"

The strategic approach is built on two policy elements simultaneously: the first is the uncompromising and rigid approach to issues that are a Chinese National Core Interest and the second is a flexible and more tolerant approach that includes cooperation and a negotiating process on issues that are of secondary importance.

12 The century of humiliation, also known as the hundred years of national humiliation, is the term used in China to describe the period of intervention and subjugation of the Chinese Empire and the Republic of China by Western powers, Russia and Japan in between 1839 and 1949

13 For further discussion of the Chinese interests in the region, see Benny Ben Ari (2018) "Asian culture and developments in the South China Sea," Maritime Strategic Evaluation for Israel 2017/18, Shaul Chorev and Ehud Gonen (eds.), pp. 56–72, Haifa University.
https://hms.haifa.ac.il/images/reports/EN_Report_2017_18.pdf

This double strategy is known as "hardening the hard, softening the soft" (HHSS). China has been using this strategy for many years in the conflict with Taiwan: on the one hand, it has adopted a longstanding and rigid policy against Taiwan's independence, primarily in the political sphere and based on a military threat, and on the other hand it has encouraged economic and cultural activity between Taiwan and China. China is behaving in a similar manner in the conflict with the Philippines, Malaysia and primarily Vietnam over sovereignty. China's policy is to invite these countries, which are also claiming sovereignty, to cooperate and to be part of an effort to resolve the conflict through negotiations; however, in practice, it blocks any attempt at resolution that is not aligned with its interests. At the same time, China hints that it will not hesitate to use force in order to maintain its sovereignty, and it is sending clear messages that any attempt at opposition will lead to a dead end while cooperation will lead to benefit for the involved countries. Here again, the Chinese policy is following examples from ancient doctrines of warfare and adopts these policies for offensive activities.

Chinese President Xi Jinping has strengthened China's position in the international arena and has achieved greater "self-confidence" in its foreign policy, which has become less passive and more aggressive. Thus, the element of "forging ahead actively", which is in line with Xi's vision, has been added to China's foreign policy. This is a new kind of foreign policy, an Asian doctrine of security and a diplomatic policy of a superpower with Chinese characteristics. The South China Sea conflict (like that in the East China Sea) is defined as a National Core Interest and as a consequence the activities of island-building were intensified, and of course the ruling of the International Court in the Hague was rejected out of hand. At the same time, China has intensified its activities to promote economic cooperation and first and foremost the BRI and the creation of the Asian Infrastructure Investment Bank. Similarly, emphasis has been put on China's relations with the ASEAN countries, primarily with the intention of reaching understandings and agreements on issues on which there are differences of opinion with regard to sovereignty and the operation of ships in the South China Sea. On these issues, China is insistent that foreign players are not involved. An example related to China's naval buildup of power on the basis of the HHSS strategy is the secret agreement signed between China and Cambodia, which is a member of ASEAN, and the establishment of a port and a naval base at Ream next to the port of Sihanoukville in Siam Bay, not far from the large new airport being built by a Chinese company.¹⁴

14 (2 October 2020) CHANGES UNDERWAY AT CAMBODIA'S REAM NAVAL BASE, CSIS.
<https://amti.csis.org/changes-underway-at-cambodias-ream-naval-base>

"Wolf warrior" diplomacy

In March 2020, the economic, political and social elite of China met in Beijing for the main annual political conferences – the National People's Congress (NPC) and The Chinese People's Political Consultative Conference (CPPCC). One of the outcomes of the discussions was the adoption of a new foreign policy in response to criticism from other countries, and primarily the US, against Chinese policy on various issues, primarily international ones, but not only (the South China Sea, the East China Sea, the Hong Kong crisis, the Corona crisis and the Muslim minority crisis in Xinjiang). The strategy was given the name "Wolf Warrior", a diplomatic and political attack that was intended as a response to "evil" accusations and slander and to protect China's national prestige. The expression of this concept by Chinese ambassadors and the Chinese Foreign Ministry in the US, Australia, Germany, Canada, France, Britain and elsewhere, where it was received with surprise, was a complete turnaround from the "calm" diplomatic language that had been used in Chinese diplomacy for many years. The content and style of the statements by some of the Chinese diplomats led essentially to a rise in tension, primarily with the US. It appears that this policy has caused more harm than good for China's international status and therefore it can be assumed that its main goal was to support the nationalist approach for domestic policy purposes, as part of the effort to preserve the image of the Chinese Communist Party.



Figure 7: The "Wolf Warrior" policy¹⁵

15 Cartoon by Rebel Pepper (1 June 2020), China's Wolf Warrior Diplomats: Is Life Imitating Art?, Radio Free Asia. <https://www.rfa.org/english/cartoons/china-wolf-warrior-cartoon-06012020163820.html>

The Defensive Realist Theory

The behavior of China in the South China Sea (claims of sovereignty, construction of the artificial islands and the activities against the countries in the region) and the buildup of the Chinese navy in terms of both size and capabilities appear to indicate that China is adopting a policy of "offensive realism".¹⁶ This theory states that a country develops political and military power and then seeks regional hegemony. But it may in fact be that the opposite theory better explains China's behavior and the strategy it is adopting. According to "defensive realism", a country that is building up its military power will make threats farther and farther away from its borders, with the main goal of its political and military activity being security rather than power or hegemony. The history of the Chinese navy since its founding in 1949 points to a focus on activity at greater and greater distances from China's coasts. This began with a focus on defending against Taiwan and later against Russia. In 1995 (the year of a crisis in the Taiwan straits and other global crises), there arose a need for protection against the US. At that point, the navy was given the necessary budgets and it developed itself into a large and modern force; at the same time, the "maritime militia" grew in size and improved its capabilities. Since 2005, the navy has expanded westward and it has participated in operations against piracy in the Gulf of Aden and in the evacuation of Chinese citizens from Libya in 2012 and Yemen 2015. The navy's main activity is in support of its claims of sovereignty in the South China Sea, to impede the maritime activity of other countries in the region and to disrupt and provoke fishing activity and oil exploration and drilling. The threats and the provocations and of course the construction of the artificial islands constitute a strategy by which China is trying to create sovereign facts and to set the terms of any future negotiations in its favor.

The Grey Zone strategy

The Grey Zone strategy involves the activities of one country trying to harm another, but which fall short of acts of war. The US Special Operations Command published a white paper in which it defined a grey zone as one in which there can be: "competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality."¹⁷

16 In the field of international relations, the term denotes a doctrine according to which the nature of countries is selfish and self-interested and every country emphasizes the development of military power. According to the realistic school, a country's actions are motivated by a desire to achieve political or military power rather than by ethical principles or idealism.

17 Philip Kapusta (9 September 2015), White Paper -The Gray Zone, UNITED STATES SPECIAL OPERATIONS COMMAND. <https://info.publicintelligence.net/USSOCOM-GrayZones.pdf>

The aggressive actions to demonstrate presence and primarily the construction of the artificial islands are part of China's efforts since 2015 not to involve military forces in these activities but rather to use "little blue men."¹⁸ Since the activities are "against" civilian targets, namely fishermen and oil exploration and drilling ships, and also include the construction of the artificial islands, this was originally a maritime civil engineering endeavor.

There were five Chinese civilian maritime authorities operating in the South China Sea up until 2013, for the purpose of both showing presence and dealing with events in the conflict: The Maritime Police; Maritime Surveillance; the Fisheries Law Enforcement Command; the Maritime Anti-Smuggling Bureau; and the Maritime Safety Administration. As the situation developed and activity increased in the area of the Spratly Islands and as a result of the complex relationships between the various organizations and the fact that they report to five different government ministries, the five bodies were united into the Chinese coast guard. Although it is primarily a civilian body, but many of its vessels are armed and it essentially "reports" to the navy. It has a larger number of vessels than any parallel body in the South China Sea and it is as large as the Japanese coast guard. If the plans for enlarging the coast guard are implemented, then in the next decade its total tonnage will be larger than that of the US and Japanese coast guards combined.

The Chinese coast guard is an almost regular participant in any event that involves the vessels, research ships, oil drilling ships and fishing boats of countries that are party to the conflict. Essentially, China has three navies in the South China Sea as part of the Grey Zone Strategy and they are put into play as needed according to the "Cabbage Strategy"¹⁹: The People's Liberation Army Navy (PLAN), the consolidated coast guard and the "maritime militia" which is a fleet of hundreds of thousands of fishing boats, some of which are armed and which are operated by fishermen who have been drafted into the navy. By means of these three navies, China is able to cover the entire range of required maritime activities.

18 Franz-Stefan Gady (5 November 2015), 'Little Blue Men:' Doing China's Dirty Work in the South China Sea, The Diplomat. <https://thediplomat.com/2015/11/little-blue-men-doing-chinas-dirty-work-in-the-south-china-sea/>

19 It is a tactic to overwhelm and seize control of an island by surrounding and wrapping the island in successive layers of Chinese naval ships, China Coast Guard ships and fishing boats and cut-off the island from outside support

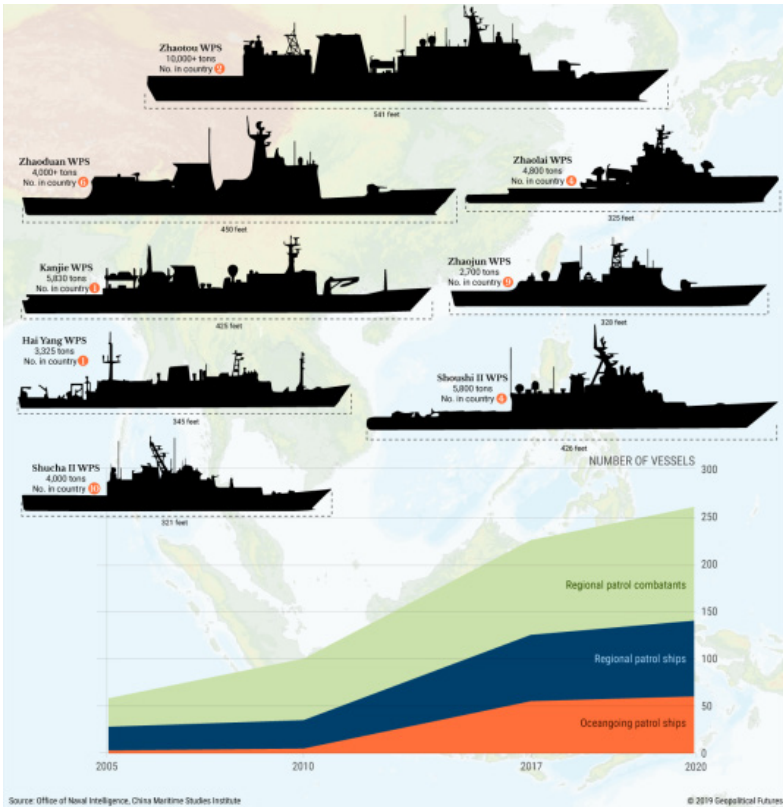


Figure 8: The growth in the number of ships in the Chinese coast guard²⁰

The "maritime militia" has existed in China since 1949 when the country did not have any significant naval forces. The militia is meant to protect the shores of China and was part of the Community Party's doctrine of the "People's Army", according to which all of the people's resources are utilized for the benefit of the State. This unique organization was trained by the navy and came to be called the People's Armed Forces Maritime Militia (PAFMM). Its actual size is unknown, but it is estimated to be approximately more than 600,000 ships and boats²¹. The militia is under the direct command and control of the navy and has become a significant player in the South China Sea and the East China Sea.

20 Phillip Orchard (), Will the US Coast Guard Enter the South China Sea 'Grey Zone?'. <http://gonzaloraffoinfonews.blogspot.com/2019/04/will-us-coast-guard-enter-south-china.html>

21 Kraska, J., 2020, There is no universal definition for naval auxiliaries, but such ships are subject to the same treatment as warships during armed conflict, The Diplomat. <https://thediplomat.com/2020/07/chinas-maritime-militia-vessels-may-be-military-objectives-during-armed-conflict>



Figure 9: The navy, the coast guard and the maritime militia in the South China Sea²²

It is important to mention that the "maritime militia" constitutes a significant operational challenge to the American and other navies operating in the region, since this is ostensibly a civilian body that includes only fishing vessels.

The Grey Zone strategy is implemented by China in the contested areas by "little blue men", a nickname taken from the Russian activity in the Crimean Peninsula and which refers to military forces camouflaged as civilians (The Little Green Men). In contrast to a conventional military confrontation, the confrontational strategy in the Grey Zone does not seek to achieve all of the objectives in one battle, but rather in asymmetric warfare, by acts that appear ambiguous and unclear and in stages that dictate the progress towards achieving an advantage. In the US view as of September 2018, China essentially controlled the South China Sea in all of the possible scenarios, apart from all-out war with the US.²³

22 (18 April 2016), PLA navy stages combat drills in South China Sea, ejinsight. <https://www.ejinsight.com/eji/article/id/1285724/20160418-pla-navy-stages-combat-drills-in-south-china-sea>; Asian Military Review. <https://asianmilitaryreview.com/wp-content/uploads/1-Haijing-3901.jpg>; Tyler Durden, (29 April 2019), "Warning Shot Across The Bow:" US Warns China On Aggressive Acts By Maritime Militia, Zero Hedge. <https://www.zerohedge.com/news/2019-04-29/warning-shot-across-bow-us-warns-china-aggressive-acts-maritime-militia>

23 Beech, H. (20 September 2020), China's Sea Control Is a Done Deal, 'Short of War With the U.S., The New York Times. <https://www.nytimes.com/2018/09/20/world/asia/south-china-sea-navy.html>

On the basis of the recognition of China’s military capabilities, the US has adopted a strategy for the Grey Zone that is comprised of tactics in which it has an advantage and which provide a solution in potential conflicts as China’s military power grows, while avoiding any direct confrontation with China’s Grey Zone strategy.

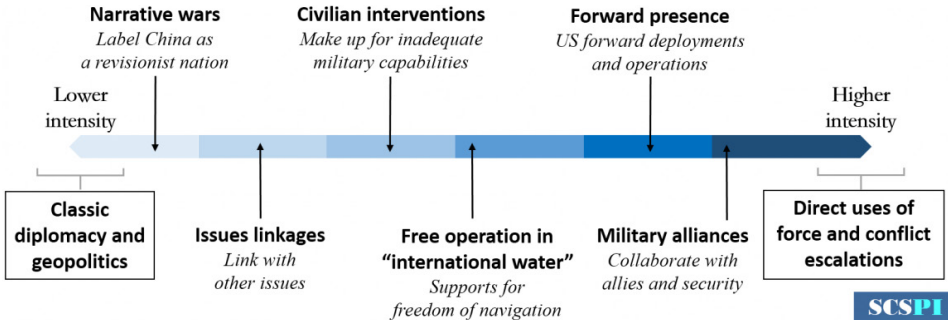


Figure 10: A spectrum of US Maritime Gray Zone Strategies against China²⁴

Conclusion

In Asia and in particular Southeast Asia, there have long been maritime territorial disagreements without any visible resolution. This situation will apparently continue, due to reasons that include, among others, past events in which countries were humiliated by foreign superpowers during the colonial period, in addition to subsequent confrontations between the countries of Asia, which have usually ended in stalemate rather than a decisive victory for one side or the other. This is also expected to be the case in the South China Sea. This conflict, in which China has been claiming sovereignty on the basis of a 1947 map, has lasted for more than 70 years and only in 2020 did the US adopt a clear and aggressive stand based on the claim that China’s demands are not legal.

It appears that the balance of power is tilting in favor of China whose aggressive efforts to realize its demand for sovereignty in the South China Sea show no sign of flagging. This is in spite of the fact that it has recently adopted more moderate and positive responses; nonetheless, it still defines this issue as a National Core Interest that is not open to negotiation or compromise. Even the global Corona pandemic, which began in China, and its deleterious effect on China’s economic situation, has not changed its geopolitical policy. The timing of the latest announcement—of the names for the shoals and reefs in the South China Sea—simultaneous with other aggressive

24 Yong, C. 2019, US Maritime Gray Zone Operations against China <http://www.scspi.org/en/dtfx/1571134316>

moves, is apparently not a coincidence, but rather is related to the behavior of the regime in China, i.e. the Communist Party, at the beginning of the Corona pandemic, namely the initial concealing of information and the serious harm to the economy. Although these are not sufficient reasons for a threat to the Party from the public, the announcement appears to be an attempt to use the "weapon of nationalism and honor" in order to improve the image of the regime among China's citizens. In addition, the US has accused China of exploiting the global Corona pandemic in order to continue its illegal activities in support of its claim for sovereignty. Indeed, while the world is preoccupied with the Corona pandemic, China is taking aggressive action primarily in locations where it is claiming sovereignty – not just in the South China Sea but also with respect to Taiwan, India (on the Himalayan border) and in Hong Kong. There is no doubt that China's growing naval power in recent years constitutes an important factor in the management and realization of its aggressive policy in the South China Sea.

The struggle in the South China Sea is also part of the American opposition to China as a rising superpower in the international arena. The American strategy is to contain²⁵ China and for its part is continuing to maintain a military presence in the region, both in the air and the sea. It has maintained a presence there basically since 1940 and there are those who doubt that its activity was intensified in order to enhance American messages regarding its status in the area. It is worth mentioning that the presence patrols are an essential activity of the US navy in order to maintain the law of the sea, but they are not meant to eliminate the operational potential of the islands nor do they have the power to do so. The goal of the patrols (which are carried out also in other areas of the world) is to maintain global freedom of maritime navigation. However, Freedom of Navigation in the South China Sea is being maintained and is not being challenged by the Chinese navy or by anyone else. China will only be harming itself and its maritime presence if it interferes with freedom of navigation, and even the militarization of the artificial islands is not really meant to achieve that. Therefore, the frequent patrols and grandiose exercises by the US at a time when tension with China is growing will indeed emphasize that freedom of navigation must be maintained, although these activities are liable to bring about an unnecessary military confrontation by accident.

25 Containment is a geopolitical strategic foreign policy pursued by the United States. It is loosely related to the term *cordon sanitaire* which was later used to describe the geopolitical containment of the Soviet Union in the 1940s. The strategy of "containment" is best known as a Cold War foreign policy of the United States and its allies to prevent the spread of communism after the end of World War II.

From a geostrategic perspective, and primarily a military one, it appears that the US has "fallen asleep at its post" and did not correctly assess China's intentions, including both the development of its navy and its sophisticated weaponry and the construction of the artificial islands, which are today a *'fait accompli'*. This is perhaps a general intelligence failure with regard to China. And although in theory the islands and the infrastructure built on them appear to be "stationary targets" that can easily be destroyed, in the case of a rise in tension and even prior to a descent into military confrontation, the islands constitute a genuine problem of A2/AD and they allow China to control the region under various scenarios.

China is implementing the HHSS strategy in the South China Sea primarily in view of the lesson it learned from the Taiwan crisis. But it is also learning from the management of international crises in the distant past of the imperial dynasties – to win the support of rivals in a time of crisis. The increase in US activity in the region, which is viewed in China as a direct threat, also forces China to adopt a clearer regional policy, which supports the restoration of China's senior regional status and at the same time protects its claims of sovereignty in the South China Sea. All this is to be viewed against the background of the changing strategic balance in the region. There is no doubt that the result of this strategy also contributes to maintaining and improving the image of the government, i.e. the Communist Party, in the eyes of the public in China.

Although China is presenting a story that there is harmony and regional understanding as reflected in the slow and prolonged process to reach agreement on a mutual Code of Conduct, it appears that the chances of developments that will lead to a military encounter are growing, depending on Chinese actions and the response of the countries directly involved in the conflict. Although the Code of Conduct is meant to produce clear rules for maritime security and freedom of navigation in the South China Sea and will enable the South China Sea countries and China to build mutual trust, to manage crises and unexpected incidents, to enhance cooperation and to maintain regional stability, the matter is still under discussion. There is plenty of doubt as to whether the discussions will be finished in 2021, as planned.

The rivalry between China and the US in the South China Sea has undoubtedly reached a higher level, particularly after the recent and dramatic change in policy regarding the conflict. Only four years after the ruling in The Hague, it was declared on June 13th 2020 by US Secretary of State Pompeo and then confirmed by US Secretary of Defense Esper that China is openly violating the law with respect to the nations of the region. The creation of a coalition of the states in the region that is liable to generate a confrontation and even a state of war is not a reasonable

option, and in response to the demonstration of strength by the US, China is holding military and naval exercises and is showcasing its ballistic aircraft-carrier killer missiles.²⁶ Nonetheless, it can be assumed that a violent clash between the Chinese maritime militia, with the backing of the coast guard or the navy, and Vietnam or the Philippines for one reason or another will probably include American involvement and this is not a question of if but rather when.

Neither does the call to create a broad coalition of the countries in the region that are involved in the conflict with China get much support, except from Australia and Japan who are willing to participate in presence patrols, but without entering the territorial waters of the islands. The rest of the states in the region, and primarily the South China Sea countries, are "uncertain" about the move since it may damage essential relations with China. In recent years, there has been a significant increase in diplomatic protests, including by countries that are not a party to the conflict, such as Australia, Indonesia and the US. China itself has also registered protests. Most of the protests from the various states are based on definitions in maritime law according to the Convention of the Sea (UNCLOS 1982). More aggressive involvement by the US is not certain to be a permanent strategy over time.

China views the current situation (in October 2020) as stable and its control over the islands as a fact and it will continue its activities in the region according to the method of "divide and conquer" and other traditional diplomatic policies. Similarly, it will continue to blame the US for undermining stability for its own geopolitical purposes. Although there have already been calls from the academia in China to abandon the "nine-dash line"²⁷ and to reinforce China's "soft power", it can be assumed that this will be opposed by the security establishment and primarily the Chinese army.

From Israel's perspective, the conflict in the South China Sea is not a factor that immediately affects its policymaking since it can be assumed that the freedom of navigation in the South China Sea will not be harmed and neither will be shipping in the Indian Ocean, on its way to the Red Sea. If the situation between China and the US deteriorates on a global geopolitical level and Israel is forced to take a stand and

26 H in Sutton, (3 September 2020), Chinese Navy May Be First to Get Ballistic Missiles, Forbs. <https://www.forbes.com/sites/hisutton/2020/09/03/chinese-navy-cruisers-may-be-first-to-get-ballistic-missiles/#45a9ed4c372a>

27 For further discussion of maritime boundaries in the South China Sea, see Benny Ben Ari (2018) "Asian culture and developments in the South China Sea," Maritime Strategic Evaluation for Israel 2017/18, Shaul Chorev and Ehud Gonen (eds.), pp. 56-72, Haifa University. https://hms.haifa.ac.il/images/reports/EN_Report_2017_18.pdf

perhaps reduce its economic and other ties with China, even then it is not expected that maritime traffic to and from Israel in the Indo-Pacific region will be adversely affected. The situation could change if the US enters into a conflict with China that leads to the use of force, with or without their allies. In that case, it is possible that the traffic of commercial ships in the South China Sea will be interrupted for a short or perhaps long period. However, such an eventuality is highly unlikely.