

South China Sea and India

Abstract

Chinese assertions across South China Sea are a corollary of its huge economic and military growth in recent years. China now wants the region to accept its paramountcy. Its superpower ambitions are integral to its long cherished Middle Kingdom dream where all other nations under heaven and the tian xia is established. It is in this regard I have devoted my paper to examine the veracity of anxieties of regional countries and the related role of India. A country which terms its rise as peaceful rise exhibits utter disregards for international laws. My paper has also evaluated the significance of Malabar Exercises and its impact on regional security.

I have adopted the analytical and empirical methodologies for my research paper.

Keywords: Act-East, AFRICOM, IOR, PLAN, SCS, UNCLOS.

Introduction

Renouncing its earlier charade of peaceful rise, China is now asking others to 'get used its muscle flexing'. China has searched strategic opportunities everywhere in the world. Now it is time for China to reap the rich dividends. South China provides the ample opportunities for the realization of its great game ambitions. Belying any reference to history China claims almost the entire South China Sea, through which about \$5 trillion worth of trade passes each year. The littoral and regional countries along with United States have unequivocally criticized Beijing's build-up of military facilities in the sea and expressed concerns they could be used to restrict free movement. China has shown a great deal of disdain towards its neighboring countries. The claims and counter claims of territories in South China Sea continue to fester. China's island-building, construction of facilities, and militarization of features in the area proceed unabated. Before I zero in on India's position in this regards let us examine the regional disputes.

China and Philiphines

China claims particularly on Scarborough Shoal in the Spratly Islands have been rejected by the International Tribunal of the Permanent Court of Arbitration (PCA) at Hague. The PCA at Hague handed down its historic and sweeping award on maritime entitlements in South China Sea, overwhelmingly favoring the Philippines over China. The ruling was a major victory for the Philippines, particularly the tribunal's decision on China's "nine-dash line," through which Beijing attempts to lay claim to vast areas of the South China Sea. As expected, Beijing refused to accept the PCA ruling, hardened its legal and diplomatic positions, and. Within hours of the ruling, at least 68 national and local government websites in the Philippines were knocked offline in a massive Distributed Denial of service attack. The crippling DDOS attacks against Filipino government networks continued over several days and targeted key government agencies, to include the Department of Foreign Affairs, the Department of National Defense, and the Central Bank.

Aim of the Study

South China Sea has become a new destination for great power games. Instead of keeping it free for navigation and trade, China has converted it into its personal pond. The littoral and regional countries are concerned with the dominating and Non accommodative behaviour of China. My research is focus on the search for a viable modus operandi to restrain this hegemonic behaviour. The main objective of my research paper is to evaluate the pivotal role of emerging naval power India, its ability to collaborate with the aggrieved countries like Vietnam, Malaysia, Indonesia and Japan. My paper examines the possibilities of emergence of a new security paradigm in South China Sea.

Review of Literature

There is a wealth of literature available on the issue. One the most scholarly books like Arun Shourie's book 'The Self Deception' lay bare the

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so called peaceful rise of China and successfully underlines the deep rooted design to dominate the word. The book 'On China' by Henry Kissinger the acknowledged master of international politics, gives us some startling tendencies of Chinese statecraft, like it talks of five baits. The five baits are nothing but an open call for inducement and corruption of the opponents. The much debated 'string of pearl' strategy of China is related with its age-old game the 'wei-qi' which teaches the encirclement to the extent of stifling. The "The Great Game East" of Bertil Lintner warn the world community of China's serious and ostensible desire to rule the east and rest and there are chances that a challenger in the name of India might emerge. The several useful articles appeared in Indian Express and Foreign Affairs apart from the online news portals of The Wire and The Print. I have gone through the articles and duly acknowledged them.

A year to the day after the award, the Philippines issued a conciliatory statement even as energy official announced that Manila would soon offer investors new oil and gas blocks at Reed Bank, off the Philippine coast but within the nine-dash line.¹

Beijing, for its part, has always made clear that it regards the tribunal's decision as "null and void" and of "no binding force." Statements from Association of Southeast Asian Nations (ASEAN) states in the wake of the decision were muted. None urged China to adhere to the ruling; the strongest merely called for respecting international law.²

Game Changer on Resource Rights

The real significance of the tribunal's decision was to clarify resource rights. Its main findings were twofold. "First, it ruled that China cannot claim historic rights to resources in the waters within the nine-dash line if those waters are within the EEZs of other coastal states. Such rights were extinguished when China ratified the UN Convention on the Law of the Sea in 1996. Second, the tribunal ruled that none of the features in the Spratlys is entitled to a 200-nautical-mile EEZ. Like Scarborough Shoal, all of the Spratly features are at most rocks entitled to 12-nautical-mile territorial seas".³

Although technically binding only on parties to the arbitration, the tribunal's decision has bolstered the position of ASEAN littoral states in the South China Sea. It has clarified that the EEZ entitlements of the Philippines, as well as Brunei, Indonesia, Malaysia, and Vietnam, are unencumbered by China's nine-dash line or any claimed EEZ from features in the Spratlys. Areas of overlap in the Spratlys are now limited to a 12-nautical-mile ring around rock features. Beyond these areas, China has no claim recognized under international law to fish or to extract oil or gas in the EEZs of other states outside the EEZ generated from China's mainland

China's Behavior

In assessing the impact of the award, what China and ASEAN states do is at least as important as what they say. In official statements issued on the day of and after the judgment, Beijing appeared to expressly assert, for the first time, that China's

maritime claims in the South China Sea include "historic rights." It did not specify what it means by this. China is a country whose history is best known to it. It has claims over almost all the neighboring countries. From centuries Tibet had been an autonomous region, paying tributes to Chinese and adjoining Indian kingdoms. Suddenly China discovered its forgotten history only to capture the Tibet. It has still remnant claims over India after illegally capturing 24000sq Km of our motherland. It claims are wide ranging covering not only land-masses but sea areas also. The South China controversy is nothing but the same kind of historical claim over a number countries. However if Beijing is claiming historic rights to resources within the entirety of the nine-dash line (rather than historic fishing rights within territorial seas), its assertion flies in the face of the judgment. In May this year, Beijing also imposed an annual fishing ban, which overlapped with the EEZs of the Philippines and Vietnam but excluded the Spratlys. The Philippines has been a key ally of the United States and a territorial rival of Beijing in the South China Sea. The impact of Beijing's action could be assessed by the fact that within few days of this orchestrated drama the President of Philippines Duterte announced during a visit to China, his "separation" from Washington and realignment with Beijing.

India and South China Sea

Initially Chinese projected India's silence as support to their positions. Amidst this brawl Chinese foreign minister Mr. Wang visited India. Oddly, a day after Wang returned to Beijing, the Chinese media hailed India for being "neutral on the South China Sea" – as if the Chinese foreign minister has secured an assurance from India that if the matter ever came up for discussion in an international forum, New Delhi has promised not to take sides. Meanwhile, Indian newspapers pointed out that, despite never mentioning the South China Sea in his official discussions, the Chinese foreign minister did bring up the issue informally with the media. In response to a question by a journalist, Wang had observed solemnly that India needed to decide "where it stood on the matter of the South China Sea" – a clear indication that support on the vexed territorial disputes in Southeast Asia may have been the real purpose of his visit. Interestingly, in the run up to Wang's departure for India, *The Global Times*, a tabloid widely seen as the Chinese government's mouthpiece, warned New Delhi that its seemingly inimical posture on the South China Sea was potentially damaging for bilateral ties and could create obstacles for Indian businesses in China. "Instead of unnecessary entanglements with declared, "India must create a good atmosphere for economic cooperation, including China over the South China Sea debate during Wang's visit," an editorial in the newspaper the reduction of tariffs...amid the ongoing free trade talks."⁴

Clearly, China remains worried that India could join other countries in raising the controversial issue during the G-20 summit to be

held in Hangzhou next month. With the United States certain to rake up the UN tribunal's rejection of Chinese claims within the "nine-dash line", Beijing is determined to muster support for its own position on the matter. Wang's India visit was widely seen as part of a Chinese lobbying effort to ensure that New Delhi does not join Washington and its supporters in pushing Beijing on the defensive by bringing up the SCS.

Chinese leaders might claim that by avoiding a mention of the South China Sea during discussions with Wang, Beijing can safely conclude that New Delhi is in agreement with its stand on that matter. The Chinese political leadership must, however, know that while New Delhi respects China's viewpoint, it chooses to take a principled position on the disputes in the SCS. For three reasons, Southeast Asia and its contested littorals matter to Indian interests.⁵

First, Indian trade and economic linkages in the Pacific are becoming stronger and deeper. Not only are ASEAN and the far-eastern Pacific key target areas of the "Act East" policy, Asia's Eastern commons are increasingly a vital facilitator of India's economic development. With growing dependence on the Malacca Strait for the flow of goods and services, economics is increasingly a factor in India's Pacific policy. China must know that territorial conflicts in the SCS threaten the future trajectory of India's economic development, creating an unacceptable hindrance for regional trade and commerce.

Secondly, "India believes that the disputes in the Southeast Asian littorals are a litmus test for international maritime law. In the aftermath of the Hague Tribunal's verdict on the South China Sea, New Delhi feels obligated to take a principled stand on the issue of freedom of navigation and commercial access as enshrined in the UNCLOS. Beijing must know that regardless of the guarantees it seeks from India about staying neutral on the SCS, New Delhi cannot be seen to be condoning the aggression of armed Chinese naval ships, aircraft and submarines in the region."⁶

Lastly, Beijing must know that New Delhi recognizes the threat that Chinese aggression poses for the wider Asian commons – in particular the exacerbation of existing power asymmetries. In order to contribute to a fair and equitable regional maritime order, New Delhi must take a stand that restores strategic balance in maritime-Asia.

New Delhi's inability or rather the old habit of suppression of information and sometimes denial makes Indian positions unsustainable. Renowned scholar and journalist Arun Shourie has correctly summed up our position "wishful construction...paste a motive, fling a doubt at the messenger, discredit him...minimize what the adversary has done...manufacture explanations and at each turn summarily pronounce "But what else could we have been done"⁷

For instance, the correlation the Indian maritime analysts discern between aggressive

Chinese patrolling in the SCS and its growing deployments in the Indian Ocean Region; or the suspicion in Indian strategic circles that China might use its SCS bases as a springboard for active projection of power in the Indian Ocean and never the less keeping studied silence. So is the case of India's aggressive encirclement by China, its permanent presence in POK, its calculated incursions in Uttarakhand. Everywhere our response is not only inadequate but at best reactive. New Delhi should really worry about China's reclamation and militarization of features in its possession – particularly the deployment of missiles, fighters and surveillance equipment in its Spratly group of islands, allowing the PLAN effective control over the entire range of maritime operations in the SCS. Indian experts should also recognize the important role Beijing's militia forces play in achieving its regional objectives.

India knows well that the main threat to maritime security in Asia isn't so much the PLA Navy, but China's irregular forces. Chinese surveillance ships, coast guard vessels and fishing fleets are the real force behind Beijing's dominance of the littoral spaces. "With the expansion of Chinese maritime activities in the IOR, New Delhi fears a rise in non-grey hull presence in the Eastern Indian Ocean. Already, China's distant water fishing fleet is now the world's largest, and is a heavily subsidized maritime commercial entity. While an increase in the presence of such ships doesn't always pose a security threat, India remains wary of Chinese non-military maritime activity in the Eastern Indian Ocean".⁸

Beijing's blueprint for maritime operations in the Indian Ocean involves the construction of multiple logistical facilities. China's 10-year agreement with Djibouti in 2015 for the setting up of a naval replenishment facility in the northern Obock region is widely seen as proof of the PLA Navy's strategic ambitions in the IOR. And this anticipation has proven right.

Djibouti is a resource-poor nation in the Horn of Africa. Its location also matters greatly to global commerce and energy, due to its vicinity to the Mandeb strait and the Suez-Aden canal, which sees 10 percent of oil and 20 percent of commercial exports annually.⁹

"The greatest worry is America's diminishing military footprints. It has begun to affect the calculation of allies and rivals alike".¹⁰

More importantly China is building military bases next door to US AFRICOM in Djibouti. India must learn right lessons from several such episodes. China is just not any-other strong nation being satisfied by playing a second fiddle. It has its global ambitions and it is unabashed about it. No victim card will fetch security and dignity to India. Long ago Thucydides reminded the succeeding generations through his 'Melian Dialogue' that "standard of justice depends on the equality of power to compel and in fact the strong do what

they have the power to do and the weak accept what they have to accept.¹¹

Our preparedness is up to the mark and the kind of policy paralysis is visible even today.

This is disappointing for a country which harbors the ambitions of attaining great power status. Indian leaders have not articulated the full extent of their anxieties over Chinese maritime operations in Asia. Regardless of the concessions on offer to New Delhi, Beijing must know that India will not agree to a compromise deal with China on the South China Sea.

It is in the light of this situation and Chinese overall aggressive postures in South China Sea that Indian Prime Minister Narendra Modi's visit to Vietnam in September 2016 and his Japan visit in the second week of November marked an important step forward in their ties. The fact that the PM chose to drop by Vietnam on his way to the G20 Summit in Hangzhou, China would not be lost on observers and must have ruffled quite a few feathers in Beijing. It also comes in the wake of July 12 awards handed down by the Permanent Court of Arbitration. Despite the open suggestion to India by China during the recent visit to Japan, Prime Minister Modi went to stress that "India supports freedom of navigation and over flight, unimpeded commerce, based on the principles of international law, as reflected notably in the UNCLOS."¹²

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In an age when geopolitics in the region is in a state of flux, it is essential for India to stand by our friends. Just as China has been wading into India's neighborhood, there is no reason why India should shy away from doing the same in China's extended neighborhood. With its soft power and lately hard power in full flow in Vietnam and Japan New Delhi must be careful not to squander the new opportunities.

Malabar Exercise and China

The current week has seen the waters of the Bay of Bengal roiled by frothy wakes of warships and submarines of three navies as their jets streak across the skies. The 21st edition of exercise "Malabar" has two aircraft-carriers, a helicopter-carrier, nuclear and diesel submarines, cruisers, destroyers and maritime patrol aircraft belonging to the Indian, Japanese and US navies

participating. For a week, these units, divided into "Red" and "Blue" forces will be pitted against each other in mock-combat, involving, surface, under-water and aerial warfare. Naval exercises don't get more complex or sophisticated than Malabar-2017.

For the Indian Navy (IN) it has been a long journey from professional isolation of the non-aligned era, to being the belle of the Malabar ball. Soviet patronage and naval hardware had commenced flowing in the 1960s, but since they never undertook professional interaction or exercises at sea, the IN found itself clinging to outdated NATO doctrines. The disintegration of the USSR saw India losing not only its steadfast political ally and sole purveyor of arms, but also the inhibitions that went with non-alignment. The US, perhaps waiting for this moment, lost no time in dispatching Pacific Army Commander, General Claude M. Kicklighter, with proposals for military-to-military cooperation in 1991.

"The path of these exercises has neither been smooth nor untroubled. Externally, China has sustained a determined opposition to Malabar because of its paranoid suspicion that India is colluding with the US in an attempt at "containment". Consequently, when the 2007 edition of this bilateral exercise, held off Okinawa, was enlarged to accommodate Australia, Singapore and Japan, China issued a shrill demarche, conveying its fear and displeasure. It took another eight years before Japan was formally admitted to make Malabar a tri-lateral."¹³

However, it is the far-reaching geopolitical impact of these exercises that needs to be kept firmly in sight. Although India's traditional strategy of "non-alignment", and its more recent mutation, "strategic autonomy", have served to preserve its freedom of action, India's past leadership did not allow it to come in the way of national interest. The aftermath of the 1962 Sino-Indian crisis as well as the impending 1971 Indo-Pak War saw our leaders suspend their beliefs in national interest — in the first case, to seek military aid from the West, and in the second, to sign a treaty of friendship with the USSR.

With the 1998 nuclear tests and the 2005 Indo-US nuclear deal having resulted in a fundamental transformation of India's status, PM Modi has also given clear indications that India's foreign policies will be guided by pragmatism and national interest, rather than idealism. As we note the hostility and aggressive posturing by a rising China, both on our land borders and at sea, we need to recall the words of Greek historian, Thucydides. "It was the rise of Athens," he said, "and the fear that this inspired in Sparta, that made war inevitable."¹⁴

Today, real politic demands that India take necessary steps to avoid the "Thucydides Trap" by ensuring a favorable regional balance-of-power, through cooperation and partnerships; striking short-term alliances if necessary.

Conclusion

Apprehensions about the Trump administration's stance on Indo-US naval relations have been set at rest by repeated mentions, in the recent Trump-Modi joint statement, of Indo-Pacific security, of maritime cooperation and of the significance of exercise Malabar. Japan, too, is easing its laws vis-a-vis foreign military relations. The stage is, therefore, set for the three navies to expand their linkages beyond exercises at sea. In the realm of maritime warfare, the three navies could derive mutual benefit from their diverse operational expertise. Given China's sinister intent in acquiring bases in the Indian Ocean, and increasingly frequent transit of PLA naval units through our waters, cooperation in strategic anti-submarine warfare as well as maritime domain awareness deserve top priority. Equally, amphibious operations, trade-warfare, maritime interception operations, anti-access concepts and, of course, disaster relief, must receive due importance. Indo-US naval cooperation has, for 25 years, formed the sheet-anchor of bilateral relations, stoically weathering political and diplomatic storms. With the invaluable accession of Japan to this partnership, the India-Japan-US triad must, now, be elevated to strategic status. A proposal worthy of contemplation would be the creation of a "maritime-infrastructure and economic initiative" that reaches out to smaller Indian Ocean nations in an endeavor to wean them away from the Dragon's maw.

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