

Measuring state behavior in maritime and territorial disputes: China's assertiveness in the South China Sea, 1970-2015

Why has the People's Republic of China (PRC) courted international opprobrium, alarmed its neighbors, and risked military conflict in pursuit of its claims covering vast areas of the South China Sea? Despite bearing heavily on the security of the world's most economically vibrant region in the 21st century, the question has remained unresolved. Many observers find China's regional expansion unsurprising in light of its growing material power, but others identify the maritime policy change with *unfavorable* regional developments for Beijing.¹ Area specialists focusing on domestic political factors are similarly divided, with some pointing to bottom-up challenges to the Chinese Communist Party's (CCP) legitimacy from rising popular nationalism, and others arguing elite vested interests or overzealous front-line agencies lie behind the maritime expansion.² Proponents of individual-level explanations diverge on which Chinese leader is supposed to be responsible for the push through the maritime periphery — a weak Hu Jintao unable to restrain confrontational conduct, or a strong, hawkish Xi Jinping driving it.³

¹ Aaron L. Friedberg, "The Sources of Chinese Conduct: Explaining Beijing's Assertiveness," *The Washington Quarterly*, Vol. 37, No. 4 (2015), pp. 133-150; John J. Mearsheimer, "The Gathering Storm: China's Challenge to U.S. Power in Asia," *Chinese Journal of International Politics*, Vol. 3, No. 2 (2010): pp. 381-396; Hugh White, "Power Shift: Australia's Future Between Washington and Beijing," *Quarterly Essay*, No. 39 (2010); Ely Ratner, "Course Correction: How to Stop China's Maritime Advance," *Foreign Affairs*, Vol. 96, No. 4 (July/August 2017), pp. 64-72; Andrew Scobell and Scott W. Harold, "An 'Assertive' China? Insights from Interviews," *Asian Security*, Vol. 9, No. 2 (2013), pp. 111-131; M. Taylor Fravel, Power Shifts and Escalation: Explaining China's Use of Force in Territorial Disputes," *International Security*, Vol. 32, No. 3 (Winter 2007/2008), pp. 44-83 M. Taylor Fravel, "China's Strategy in the South China Sea," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Vol. 33, No. 3 (2011), pp. 292- 319; Michael Swaine and M. Taylor Fravel, "China's Assertive Behavior, Part Two: The Maritime Periphery," *China Leadership Monitor* No. 35 (2011); Dingding Chen and Xiaoyu Pu, "Correspondence: debating China's assertiveness," *International Security*, Vol. 38, No. 3 (Winter 2013/2014), pp. 176-183.

² Robert S. Ross, "China's Naval Nationalism: Sources, Prospects, and the U.S. Response," *International Security*, Vol. 34, No. 2 (Fall 2009), pp. 46-81; Robert S. Ross, "The problem with the pivot," *Foreign Affairs*, Vol. 91, No. 6 (2012), pp. 70-82; Suisheng Zhao, "Foreign Policy Implications of Chinese Nationalism Revisited," *Journal of Contemporary China*, Vol. 22, No. 82 (2013), pp. 535-553; Rory Medcalf and Raoul Heinrichs, *Crisis and Confidence: Major Powers and Maritime Security in Indo-Pacific Asia* (Sydney: Lowy Institute, June 2011), p. 21; Thomas J. Christensen, "The Advantages of an Assertive China," *Foreign Affairs*, Vol. 90, No.2 (2011), pp. 54-68; Linda Jakobson, *China's Unpredictable Maritime Security Actors* (Sydney: Lowy Institute, 2014); International Crisis Group (hereafter ICG), *Stirring Up the South China Sea (I)*, Asia Report No. 223 (2012), pp. 18-26; Audrye Wong, "More than Peripheral: How Provinces Influence China's Foreign Policy." *The China Quarterly*, No. 235 (2018), pp. 735-757; Xue Gong, "The Role of Chinese Corporate Players in China's South China Sea Policy," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Vol. 40, No. 2 (2018), pp. 301-326.

³ You Ji, "The PLA and Diplomacy: Unraveling Myths About the Military role in Foreign Policy Making," *Journal of Contemporary China* Vol. 23, No. 86 (2014), pp. 236-254. Robert Sutter and Chin-hao Huang, "China's Toughness on the South China Sea – Year II," Pacific Forum CSIS, October 8, 2013, <https://www.isn.ethz.ch/Digital-Library/Articles/Detail/?id=170595>; Robert Blackwill and Kurt Campbell, *Xi Jinping on the Global Stage: Chinese Foreign Policy Under a Powerful but Exposed Leader* (Washington, D.C.: Council on Foreign Relations, 2016), p. 17. Irene Chan and Li Mingjiang, "New Chinese Leadership, New Policy in the South China Sea Dispute?" *Journal of Chinese Political Science*, No. 20 (2015), pp. 35-50; Nien-Chung Chang Liao, "The Sources of China's Assertiveness: The System, Domestic Politics or Leadership Preferences?" *International Affairs*, Vol. 92, No. 4 (2016), pp. 817-833.

This article argues the key to understanding the dynamics of the South China Sea conflict lies in longer-term patterns of continuity and change in state behavior. In territorial and maritime disputes, lines of action introduced at one point in time have cumulative effects, creating the conditions for further changes in behavior in the future, and crucial decisions can take years and even decades to manifest. I show that the most recent turning point in China's policy occurred in 2007, several years earlier than most analyses have recognized, and trace this shift to decisions taken in the late 1990s towards strategic objectives that emerged in the 1970s. The article reveals these patterns by constructing a new typology of state behaviors in maritime and territorial disputes, applying it to a unique time series dataset of PRC behavior in the South China Sea from 1970 to 2015, and analyzing the key turning points.

Assessing competing explanations for the PRC's South China Sea behavior has proved challenging due to a lack of clarity on exactly what has changed in, and when. Relatively few analyses provide precise definitions or measurements of the behavioral changes they seek to explain. Many have focused on *coercion*, but this excludes key aspects of China's maritime expansion, such as its large-scale island-building program in the Spratly Islands, or the increasing on-water presence of ostensibly unarmed surveillance ships.⁴ Such behaviors are captured by the concept of *gray-zone* conflict, defined by "attempts to achieve one's security objectives without resort to direct and sizable use of force." But China's maritime dispute policy has rarely left the gray zone — a 1988 naval battle with Vietnam being its most recent military clash — which limits the concept's utility in identifying variation over time.⁵

The most common label attached to China's current maritime behavior is "assertive," but the meaning of this term has remained imprecise.⁶ Attempts to deploy it analytically have produced a mushrooming list of modifiers: from "passive assertiveness," "non-confrontational assertiveness" and "reactive assertiveness," to "creeping assertiveness," "militant assertiveness" and "aggressive assertiveness." Given this array of descriptive characterizations of the changes in China's behavior, it is not surprising that there is little agreement on when the key policy change occurred, with estimates ranging from the early 2000s through to Xi Jinping's ascension in late 2012 and beyond. Answering these what and when questions is a crucial step towards understanding the why.

This article begins by defining and disaggregating the concept of assertiveness into a typology suitable for measuring quantitative and qualitative change in state behavior over time. Works investigating territorial disputes as a cause of militarized escalation and war have focused on

⁴ Ketian Zhang, "Cautious Bully: Reputation, Resolve, and Beijing's Use of Coercion in the South China Sea," *International Security* Vol. 44, No. 1 (Summer 2019), pp.117-159; on the role of unarmed Coast Guard vessels and their recent (re-)arming, see Ryan Martinson, *Echelon Defense: The Role of Sea Power in China's Maritime Dispute Strategy*, (Newport, RI: Naval War College Press, 2018); Ryan Martinson, "The Arming of China's Maritime Frontier," *China Maritime Report*, No. 2 (2017), pp. 1-2.

⁵ Michael Green, Katherine Hicks, Zack Cooper, John Schaus and Jake Douglas, *Countering Coercion in Maritime Asia: The Theory and Practice of Gray Zone Deterrence* (Washington, D.C.: Center for Strategic and International Studies, 2017), p. 21; Andrew Erickson and Ryan Martinson, eds., *China's Maritime Gray Zone Operations* (Annapolis, MD: Naval Institute Press, 2019).

⁶ Alastair Iain Johnston, "How New and How Assertive is China's New Assertiveness?" *International Security*, Vol. 37, No. 4 (Spring 2013), pp. 7-48.

three generic state behaviors, summarized by Fravel as compromise, delay, and use of force.⁷ But within this rubric, the PRC has pursued a near-continuous delaying strategy in the South China Sea. The framework developed here captures the ways states advance their positions in such disputes *without* resorting to either force or compromise. It also takes account of particular features of maritime spaces as objects of dispute — a domain in which the dangers of conflict over maritime disputes are widely believed have increased in recent decades, especially in East Asia.⁸

The empirics presented here address key shortcomings in the information sources upon which most existing analyses of the South China Sea rely. Few studies have attempted to measure China's maritime behavior using events data or control for the major present-centric bias in the supply of information on such events.⁹ In 1988, when the PRC attacked Vietnam in the Spratly Islands and seized six reefs, the confrontation raised little more than a blip on the international media agenda. Today, the South China Sea dispute is regarded as one of the world's conflict hot spots, and vast volumes of information circulate on daily developments there. China's increased economic and military power has drawn increased attention to its actions from foreign governments and media, while the internet has dramatically increased the volume information about current events more generally. Beijing's own growing openness about its activities, meanwhile, has further increased the information supply about recent events.

To address this challenge, I employ an original time series of PRC actions in the South China Sea dispute from 1970 to 2015 that draws on sources not subject to the present-centric bias in the open-source English-language information supply. These include internal-circulation PRC chronologies of events in the South China Sea, advisory reports from Chinese government specialists, scientific reports, and yearbooks of PRC maritime agencies. Analysis of the data shows both a long-term trend of increasing PRC assertiveness since the 1970s, as well as four

⁷ M. Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* (Princeton NJ: Princeton University Press, 2008), p. 5. The extensive literature on territorial disputes has demonstrated their importance as a cause of interstate conflict and explored the conditions for military escalation and peaceful resolution, but leaves aside patterns of state behavior below these thresholds. A partial exception is Huth's study of 129 territorial disputes between 1950 and 1990, which distinguishes political-diplomatic escalation from military escalation. Paul K. Huth, *Standing Your Ground: Territorial Disputes and International Conflict* (Ann Arbor: University of Michigan Press, 1996), p.105. The leading quantitative resource on maritime disputes is the Issue Correlates of War (ICOW) dataset, which includes claim initiation, militarized escalation and peaceful settlement attempts for maritime disputes in Europe and the Western Hemisphere between 1900 and 2001. However, like the MID data it builds upon, it does not distinguish state actions below the threshold of threat or use of force. Paul R. Hensel, Sara McLaughlin Mitchell, Thomas E. Sowers and Clayton L. Thyne, "Bones of Contention: Comparing Territorial, Maritime and River Issues," *Journal of Conflict Resolution*, Vol. 52, No. 1 (2008), pp. 117-143.

⁸ Lee Hsien Loong, "Scenarios For Asia in the Next 20 Years," speech at Nikkei Conference, Tokyo, May 22-23, 2014, <https://www.pmo.gov.sg/media-release/scenarios-asia-next-20-years>; Michael D. Swaine et al., *Conflict and Cooperation in the Asia-Pacific: A Strategic Net Assessment* (Washington, DC: Carnegie Endowment for International Peace, 2015); David C. Gompert, Astrid Stuth Cevallos and Cristina L. Garafola, *War With China: Thinking Through the Unthinkable* (Santa Monica: RAND Corporation, 2016), p. 8; ICG, *Stirring Up the South China Sea (I)*; ICG, *Dangerous Waters*.

⁹ The most systematic longitudinal study on PRC behavior in the South China Sea to date is Zhang's time series of PRC coercive acts since 1990. However, being assembled to test a theory of the conditions under which the PRC engages in compellence, the time series does not measure the PRC's behavior *per se*, but rather Beijing's responses to two specific kinds of unilateral administrative behavior by Southeast Asian claimants. Zhang, "Cautious bully."

breakpoints — in 1973, 1987, 1992 and 2007 — marked by significant increases in activity and the introduction of new methods, constituting important changes in China's policy there.¹⁰ The data pinpoint two key differences between China's post-2007 policy and its earlier surges in the South China Sea: the protracted duration of its administrative buildup, and the introduction of regular coercive actions.

These empirical findings enable a new evaluation of a range of hypothesized explanations for Beijing's policy in the South China Sea, helping advance theoretical debate about a key case of foreign policy change in the twenty-first century.¹¹ Policy decisions may take years to manifest in observable behavior, so advancing positive claims about the causes of state behavior requires analysis of documentary evidence and other qualitative sources. The latter part of the article therefore turns to focused analyses of the four turning points in the PRC's conduct, drawing on Chinese party-state sources. The surges in PRC assertiveness in 1973, 1987 and 1992 were, to a significant degree, opportunistic responses to favorable geopolitical circumstances. In contrast, the processes that produced the 2007 turning point were set in motion nearly 10 years earlier, when Beijing decided to develop new domestic legal-administrative structures, organizational systems and maritime law enforcement capabilities designed to extend wide-ranging state administrative authority over the maritime spaces around China's periphery. Tracing these four turning points shows how this goal, and the assertive state behaviors that seek to realize it, emerged from several decades of interplay between the PRC party-state and the emerging international Law of the Sea regime.

The remainder of the article proceeds in four steps. The first section builds a conceptual framework to render *assertiveness* a tractable variable with which to measure state behavior in maritime and territorial disputes, and disaggregates a four-way typology of assertive actions. The second section operationalizes this framework, applying it to an original set of events data on China's actions in the South China Sea from 1970 to 2015. Guided by the quantitative data, the third section provides focused qualitative examinations of the four identifiable breakpoints, engaging existing works on the PRC's past and present policies and drawing new insights from Chinese party-state sources. The conclusion considers some broader implications of these findings for analysts and policymakers.

Assertiveness as a variable

The word "assertiveness" has arguably defined the English-language discourse on the PRC's recent policies on its maritime periphery, and perhaps its foreign policy in general.¹² Yet the term has so far not formed part of any established theory of state behavior in international relations. Johnston inferred from common usage that it refers to "diplomacy that explicitly threatens to impose costs on another actor that are clearly higher than before" — that is, more

¹⁰ Charles Hermann, "Changing Course: When Governments Choose to Redirect Foreign Policy," *International Studies Quarterly* Vol. 34, No. 1 (1990), pp. 3-21.

¹¹ Hermann, "Changing course"; Jakob Gustavsson, "How Should We Study Foreign Policy Change?" *Cooperation and Conflict*, Vol. 34, No. 1 (1999), pp. 73-95; David A. Welch, *Painful Choices: A Theory of Foreign Policy Change* (Princeton: Princeton University Press, 2005).

¹² Johnston, "How New and How Assertive?"; Bjorn Jerden, "The Assertive China Narrative: Why It Is Wrong and How So Many Bought Into It," *Chinese Journal of International Politics*, Vol. 7, No. 1 (2014), pp. 47-88.

coercive.¹³ But in relation to China's maritime disputes at least, the term has been associated with various classes of behavior, such as legal-administrative acts and infrastructural projects like artificial island-building, that do not necessarily involve coercion.¹⁴

The Merriam-Webster Dictionary defines assertiveness as "bold or confident statements and behavior." This usefully covers the array of methods, both verbal and physical, and not necessarily directly confrontational, by which states pursue their interests in disputes like the South China Sea. Adapting this standard definition to the context of maritime and territorial disputes, assertiveness can be defined as *statements and behaviors that strengthen the state's position in the dispute*.

This definition serves three key purposes. First, it breaks assertiveness down into observable events — statements and behaviors — that can be identified without the need for strong subjective judgements about the state of mind of the actor. In the context of disputes constructed around specific geographies, the "bold or confident" quality of a state's statements and behavior can instead be inferred from their impact on the relative positions of the parties in relation to the object of dispute, as discussed in further detail below. This renders assertiveness a tractable variable for measuring change in state behavior.

Second, the definition captures the broad sweep of state actions over a contested possession. Unless a dispute is dormant or subject to a cooperative agreement that simultaneously strengthens both parties' positions, such as joint resource development, merely maintaining a disputed claim involves some level of assertiveness. A state's assertiveness can thus be understood as a continuous scale variable whose relative value is determined by the number of assertive acts introduced, maintained, or discontinued over a given time period.

The third purpose is to link the concept of assertiveness with earlier conceptual work on territorial dispute behavior by placing the state's *position* in the dispute at the center of the definition. A state's position comprises three elements:

- (1) overall administrative presence in the disputed area;
- (2) ability to secure interests there using military force; and
- (3) ability to sustain the claim in international law.

This three-point formulation builds on Fravel's definition of a state's bargaining position as "the amount of the disputed land that it occupies and its ability to project military power over the entire area under dispute," but with two necessary modifications. One is to use *overall administrative presence*, rather than the amount of disputed land occupied, as the first component. The other is the inclusion of *legal claim viability*.

Overall administrative presence refers to all state assets within the disputed area — from mobile units like vehicles, ships and aircraft, to fixed facilities like roads, buildings, airstrips, ports and sovereignty markers, as well as less visible manifestations of state presence such as cellular networks and scientific equipment. Unlike in land disputes, where lines of actual control keep each state's official presence relatively distinct, disputed maritime spaces and uninhabited

¹³ Johnston, "How New and How Assertive?" pp. 9-10.

¹⁴ Some of the modifiers often attached to assertiveness suggest coercive qualities ("militant," "aggressive"), but others disassociate assertiveness from coercion ("passive," "creeping").

features are often subject to simultaneous or overlapping control. In such cases administrative presence, rather than occupation, is the main mode by which state authority is exercised over the disputed possession. Regular patrolling by government boats, for example, has consolidated China's presence in the space around the disputed Diaoyu/Senkaku Islands in the East China Sea, and around features in the South China Sea. Thus overall administrative presence includes, but is not limited to, the amount of disputed land under occupation.

Legal claim viability should also be regarded as a component of a state's bargaining position in territorial and maritime disputes for two interlinked reasons.¹⁵ First, international law forms an important element of states officials' own understanding of their bargaining positions. This is particularly so for maritime claims, which are governed by a codified international treaty with 159 state parties — the UNCLOS — but it is also evident in the increasing use of international legal processes in terrestrial disputes.¹⁶ The stronger a state considers its claim to be under international law, the greater its potential to resolve the dispute in its favor without facing the costs and unpredictability of using force. Conversely, when a state's legal position is challenged, its potential for cheaply accessing favorable outcomes diminishes, compromising its overall position. This helps explain the sensitivity of states to potentially legally significant, but otherwise relatively innocuous, actions by adversaries.¹⁷

Second, even where a state can project significant military force over a disputed area, the costs of doing so will depend significantly on international perceptions of its legality. The fact that even claimants with strong military advantages over their rivals have launched major historical and legal research efforts aimed at justifying their claims suggests that this is widely understood. Treating legal viability as a component of a state's overall position in an international dispute does not mean accepting international law as a meaningful constraint on the actions of great powers, especially the use of military force. But developments that undermine a state's ability to sustain its claims in international law increase the likely costs of any future use of military force.

Defining assertiveness in maritime and territorial disputes as *statements and behaviors that strengthen the state's position* will enable its operationalization as a study variable, but assertive conduct thus defined can vary widely in its implications for international stability. By design, the concept covers acts ranging from verbal statements all the way to the deployment of military force. Accounting for the qualitative differences between different types of assertive conduct requires distinctions to be drawn between different types of assertive actions.

¹⁵ Taking account of the legal factor does not entail assessment of the actual legal strength of one state's claim relative to its rivals, just the potential international legal significance of state actions, and patterns of action, taken in disputed areas.

¹⁶ Beth Simmons, "See You in 'Court'? The Appeal to Quasi-Judicial Legal Processes in the Settlement of Territorial Disputes," in Paul F. Diehl (ed.), *A Road Map to War* (Nashville: Vanderbilt University Press, 1999), p. 225.

¹⁷ When Sino-Japanese tensions erupted after an incident in the East China Sea in 2010, the PRC made clear that its escalatory countermeasures were not a response to the physical detention of the Chinese fishing boat captain, but rather to Japan's decision to initiate domestic legal proceedings against him. See Andrew Chubb, *Chinese Nationalism and the 'Gray Zone': Case Analyses from China's Maritime Disputes* (forthcoming: U.S. Naval War College Press). See also M. Taylor Fravel, "Explaining China's Escalation Over the Senkaku/Diaoyu Islands," *Global Summitry*, Vol. 2, No.1 (2016), p. 31.

Four types of assertive actions

Existing typologies of state behavior in territorial and maritime disputes have not yet recognized important variations below the use of force. The standard Militarized Interstate Disputes (MID) coding scheme, for example, distinguishes various “hostility levels” for incidents in which a state threatens or uses military force against another state, but excludes actions below this threshold of militarization.¹⁸ Huth codes diplomatic and political confrontation separately from military escalation, but leaves non-confrontational assertive actions indistinguishable from “minimal or no diplomatic/political conflict.”¹⁹ Fravel’s three-way typology of territorial dispute behavior similarly treats actions short of military escalation or seizure of territory as “delay.”²⁰ The concept of gray zone conflict, meanwhile, bundles together non-cooperative state conduct all the way up to the threshold of military force.²¹ Four types of assertive actions in maritime and territorial disputes are identifiable, based on their increasingly serious implications for the positions of rival claimants: (1) *declarative*, (2) *demonstrative*, (3) *coercive*, and (4) *use of force*.

As summarized in Table 1, these four categories constitute an ordinal typology. This means that individual cases of behavioral change belong in the highest-level category for which they meet the criteria.²² Thus, as explained below, patrolling a disputed area is classified as a *demonstrative* behavior, though it may also involve declarative proclamations of the state’s claim to the area. Likewise, direct interference with another state’s construction project or resource survey will belong unambiguously in the *coercive* category, even if it also entails declarative and demonstrative elements. Direct seizure of a particular disputed land or sea area will constitute a *use of force*, even though it usually also involves buildups of administrative presence (*demonstrative*), threats of punishment (*coercive*) and verbal claims (*declarative*).

Types of assertiveness	Existing concepts
Use of force	Use of force / escalation (Fravel 2008); brute force

¹⁸ Daniel M. Jones, Stuart A. Bremer and J. David Singer, “Militarized Interstate Disputes, 1816-1992: Rationale, Coding Rules, and Empirical Patterns,” *Conflict Management and Peace Science*, No. 15 (1996), pp. 163-213.

¹⁹ Huth, *Standing Your Ground*, pp. 103-106.

²⁰ Fravel, *Strong Borders*, p. 5.

²¹ Green et al., *Countering Coercion*, p. 21; Peterson, “The Chinese Maritime Gray Zone,” p. 16; Michael Mazarr, *Mastering the Gray Zone: Understanding A Changing Era of Conflict* (Carlisle Barracks, PA: US Army War College Press, 2015), p. 4.

²² For a general discussion of ordinal classification schemes see Scott H. Beck, “Decomposition of Inequality by Class and by Occupation: A Research Note,” *The Sociological Quarterly*, Vol. 31, No. 1 (Spring 1991), pp. 141, 147-149. Other examples include Hermann’s typology of foreign policy change, and the three-point scale of diplomatic and military conflict in territorial disputes in Huth, *Standing Your Ground*, p. 105.

Escalatory potential →	Application of military force or direct seizure and occupation of disputed possession.	(Schelling 1966); compulsion (Sechser 2011)
	Coercive Threat or imposition of punishment: may be verbal, diplomatic or administrative, economic punishment, warning shots, physical interference with foreign activities in disputed area.	Coercion (Schelling 1966; Zhang 2019); political-diplomatic escalation (Huth 1996)
	Demonstrative Unilateral administration of disputed possession: patrols, surveys, resource development, construction of infrastructure, state-sanctioned tourism or activism, domestic judicial proceedings, and cooperative agreements with third parties.	Gray zone conflict (Green et al. 2017; Peterson 2019); delay (Fravel 2008); minimal conflict (Huth 1996)
	Declarative Verbal assertions via non-coercive statements, diplomatic notes, domestic legislation and administrative measures, international legal cases.	

Table 1: Four-way typology of assertiveness in maritime and territorial disputes, mapped onto existing concepts.

(1) *Declarative* actions are official claims over the disputed area that make no discernable threat to impose punishment on rival states. Such statements fit the broad definition of assertiveness outlined above because they affect the position of competing claimants, both by demonstrating non-recognition of those claims, and because they are often considered as evidence in international legal proceedings.²³ Declarative actions include remarks by state officials, domestic laws and regulations, diplomatic declarations, submissions to international authorities, and changes in domestic administrative arrangements governing the disputed area. Their significance is evident in the fact that they frequently prompt official protests from other states — and they also typically stay in effect in perpetuity unless actively renounced. But because they involve neither physical actions in the disputed area nor threats of punishment, declarative actions are a qualitative step further removed from conflict than the higher categories of assertive behavior discussed below.

(2) *Demonstrative* moves are unilateral administrative behaviors — actions that manifest a state's presence or jurisdiction in the disputed area, but without directly confronting

²³ See Republic of the Philippines v. The People's Republic of China, Permanent Court of Arbitration, Case No. 2013-19 (2016), available at: <https://www.pcacases.com/web/view/7>

adversaries.²⁴ In many disputed areas, particularly at sea, states may advance their position without engaging adversaries at all.²⁵ Typical demonstrative moves include physical acts like air and sea patrols, scientific surveys, unilateral resource exploitation, construction works, as well as state-sponsored civilian actions like tourism, activism and resource exploitation. Certain kinds of non-physical moves can also be demonstrative, such as signing agreements with third parties over resource development, or domestic administrative or judicial proceedings over the disputed area. For example, Japan launched legal proceedings against a PRC fishing boat captain who rammed a Japanese Coast Guard ship in the disputed territorial seas around the Diaoyu/Senkaku Islands in 2010, and Tokyo nationalized three of the disputed islands in 2012. Because they demonstrate effective administration of the claimed area, or external recognition of the claim, this class of actions compromise the position of other states in the dispute more than declarative actions do. Indeed, they can constitute stepping stones to acquisition by *fait accompli*.²⁶ However, demonstrative acts do not involve discernible threats or punishment of other parties. These belong to the next category, coercion.

(3) *Coercive* behaviors are those involving the threat or use of punishment against an adversary.²⁷ Some actions self-evidently satisfy this definition, such as physical interference with foreign activities in a disputed area, or the firing of warning shots. But coercive state behaviors can also take a variety of other forms, as Zhang has highlighted, including formal and informal economic sanctions via the disruption of trade, through to threatening public statements, diplomacy and administrative moves.²⁸ For example, promulgating territorial sea baselines that upgrade disputed waters to sovereign territorial seas under domestic law, or the establishment of Air Defense Identification Zones (ADIZs) in contested areas, can communicate threats to other state and non-state actors entering such areas. Coercive actions pose more serious risks to stability than the two types of assertive actions discussed above because they present a relatively narrow set of choices to other parties: alter their behavior, continue and risk incurring punishment. The only qualitatively more escalatory kind of move is a military

²⁴ The Merriam-Webster definition is (1a) “demonstrating as real or true,” (1b) “characterized or established by demonstration.” Actions conveying a clear threat or warning to others, however, are not demonstrative but coercive.

²⁵ In disputes that take place in wide geographical expanses, interactions between adversaries may be minimal, enabling states to “take what they want” incrementally, without the need for coercion. Schelling referred to this as “salami tactics.” Thomas C. Schelling, *Arms and Influence* (New Haven: Yale University Press, 1966 [2004]), pp. 66-69.

²⁶ Dan Altman, “By Fait Accompli, Not Coercion: How States Wrest Territory from Their Adversaries,” *International Studies Quarterly*, No. 61 (2017), pp. 881-891.

²⁷ This follows the usage established by Schelling, which includes both deterrent and compellent varieties of coercion. Recent scholarly usage has often equated coercion with compellence, in line with George’s concept of “coercive diplomacy,” defined as “a response to an encroachment already undertaken” and thus distinct from deterrence. As Art and Greenhill point out, such a concept could be more accurately labelled *compellent* diplomacy. For the present purposes, adopting the broader definition allows us to sidestep questions of whether the target had been engaging in encroachment or aggression. Schelling, *Arms and Influence*, p. 69; Alexander L. George, *Forceful Persuasion: Coercive Diplomacy as an Alternative to War* (Washington, D.C.: United States Institute of Peace, 1991), p. 4; Robert A. Art and Kelly Greenhill, “Coercion: An Analytical Overview,” in Kelly Greenhill and Peter Krause eds., *Coercion: The Power to Hurt in International Politics* (New York: Oxford University Press), p. 13n18.

²⁸ Zhang, “Cautious Bully,” pp. 120-122.

attack or unambiguous forceful change in the status quo of a disputed possession, as discussed below.

(4) *Use of force*. The most escalatory type of action in a maritime or territorial dispute is the application of military violence or direct seizure of the disputed possession. This category maps directly onto the use of force category in Fravel's existing typology.²⁹ Such actions are a sub-set of what Schelling described as "brute force": actions that rely on the actor's own strength to achieve goals directly, rather than by influencing adversary conduct as in coercion.³⁰ There are three key reasons why such actions are qualitatively more escalatory than coercive ones. First, in-kind responses from the adversary, or action to restore the *status quo ante*, will entail physical confrontation. Second, actions that conspicuously change the status quo threaten the basic viability of the adversary's bargaining position, generating incentives for preventive escalation.³¹ Third, actions of an unambiguously forceful character are likely to place the adversary's leadership under political pressure by engaging their domestic competence and international reputation. Notably, the use of force does not necessarily involve military units, since civilian actors can be deployed to seize disputed possessions, as in the case of the PRC's occupation of Mischief Reef in 1994.

Having distinguished these four qualitatively different types of assertive state behavior in maritime disputes, it is now possible to identify changes in the quantity and quality of assertiveness in a state's behavior across time. Assertive behavior *intensifies* where an observed action is either: a.) a new method of advancing the claim, unseen in previous time periods; b.) more frequent than in previous time periods, for example an increase in patrol activity or resource exploration and exploitation; or c.) applied over a broader geographic area than in previous time periods. The intensification of assertiveness is key to identifying change in states' overall dispute behavior; the 132 cases of behavioral change analyzed in the next section each constitute an intensification of the PRC's assertiveness compared with the previous calendar year. However, once a given action is identified as a case of assertive behavioral change, it is important to consider whether, in subsequent time periods, it intensified further, continued or diminished.³²

With a tractable definition of assertiveness in territorial and maritime disputes, and a typology of qualitatively distinct assertive state actions, it is possible to more rigorously investigate the continuities and changes in state conduct in disputes such as the South China Sea. The next section applies this framework to a unique time series of 132 cases of year-on-year change in the PRC's assertive behavior in the South China Sea between 1970 and 2015. This provides the first systematic measurement of the quantitative and qualitative variation in China's maritime dispute behavior across that time period.

²⁹ Fravel, "Power Shifts and Escalation," p. 50.

³⁰ Schelling, *Arms and Influence*, pp. 2-5. See also Sechser's description of *compulsion*, the forcible imposition of the state's objectives. Todd Sechser, "Militarized Compellent Threats, 1918-2001," *Conflict Management and Peace Science*, Vol. 28, No. 4 (2011), pp. 377-401, 385.

³¹ Fravel, *Strong Borders*; Fravel, "Power Shifts and Escalation." From the perspective of prospect theory, a rapid and conspicuous change in the status quo is likely to place the adversary in the risk-acceptant "domain of losses."

³² See Appendix for a discussion of inferences regarding the duration and diminishment of assertive behaviors.

PRC assertiveness by the numbers

A key challenge in assessing the changes in China's behavior in the South China Sea is the present-centric bias in the information supply. For a host of reasons — from heightened scrutiny of China's behavior as its influence has grown, to the arrival of the Internet, and the party-state's increasing willingness to publicize its activities — alterations in PRC behavior are much more likely to have been observed in English-language sources in recent years than further back in the past. To mitigate this bias, the data set analyzed below draws on historical PRC sources, mainly reference materials intended to inform Beijing's policymakers of events in the maritime domain and report on the implementation of policies. These include internal-circulation PRC chronologies on major events in the South China Sea covering the period up to 1996,³³ advisory reports on the situation in the South China Sea from 2002 to 2009,³⁴ and yearbooks of PRC government agencies covering the state's civilian maritime activities from the 1970s through to the present.³⁵ These materials help identify previously unrecognized past alterations in PRC behavior, and confirm details of other historical cases.³⁶

The particular biases in such sources also need to be born in mind. Despite being reference materials, these sources typically adopt an unquestioningly pro-PRC perspective on the events they describe. Like the PRC's public-facing comments on the South China Sea, they overwhelmingly characterize China as the victim of unprovoked encroachments at the hands of its adversaries. Indeed, many of the chronologies focus primarily on other claimants' activities in the South China Sea. However, this should increase confidence in the veracity of those cases of assertive PRC behavior that do appear. If assertive PRC conduct is referred to in such sources, this is also a strong indication that it was intentional, rather than an accident or the result of unauthorized lower-level actions. Overall, drawing information from these sources should increase the closeness of the relationship between the time series data and the underlying PRC behavior it seeks to represent.

Increasing assertiveness as a constant

³³ State Oceanic Administration (SOA), "Dashiji (Chronicle of major events)." State Oceanic Administration. Yearly for period 1963-2003, available at: <https://www.soa.gov.cn/memo/index.html> via Archive.org; Zhang Liangfu, *Nansha Qundao Dashiji (Chronicle of Major Events in the Spratly Islands)*, (Beijing: Zhongguo Kexue Yuan, 1996).

³⁴ *Nanhai Xingshi Pinggu Baogao (Evaluative Report on Developments in the South China Sea)*, (Haikou: Zhongguo Nanhai Yanjiuyuan, 2002-2009).

³⁵ Fisheries Administration, *Zhongguo Yuye Nianjian (China Fisheries Yearbook)*, (Beijing: Nongye Chubanshe [Agriculture Press]); SOA, *Zhongguo Haiyang Nianjian (China Ocean Yearbook)*, (Beijing: Haiyang Chubanshe). Volumes published between 1987 and 2014.

³⁶ Candidate cases of year-on-year change in PRC assertive behavior entered the dataset through a two-stage assessment process, before being coded according to the typology outlined above. Further discussion of data collection, methodology and coding checks are provided in the Appendix. A full list of sources, along with case descriptions, is included in the data file.

The first key point that emerges from the time series is that increasing PRC assertiveness itself is not a new development in the South China Sea. As Figure 1 shows, the PRC has advanced its position in the disputes there in some form almost every year since 1970. There have been only four years since 1970 when the PRC's assertiveness did *not* intensify in some way — and the most recent was in 1990.

Second, within the overall picture of increasing assertiveness in China's policy, four periods of rapid acceleration are apparent: 1973-1975, 1987-1989, 1992-1995, and 2007 onwards. Outside these four periods, the average number of cases observed is around 1.8 per year, a figure that can be understood as representing the baseline growth rate of the PRC's assertiveness in the South China Sea. In contrast, during these four periods the average number of intensified assertive behaviors observed rose to between 3.0 and 5.1 per year. The PRC's most recent surge in assertiveness is therefore not a new development *per se*. Rather, it represents the PRC's fourth major push in the South China Sea since 1970.

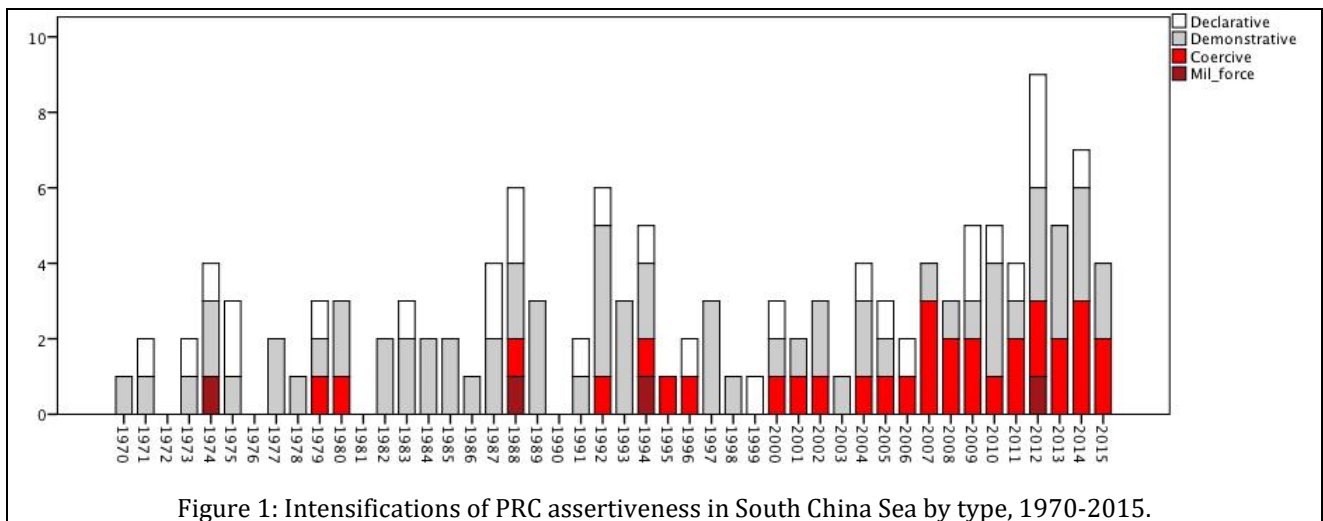


Figure 1: Intensifications of PRC assertiveness in South China Sea by type, 1970-2015.

Breakpoint 2007

The most recent turning point in the PRC's behavior occurred in 2007. Figure 1 illustrates the major qualitative change in the type of actions by which China has advanced its position since that time. The cluster of red-colored bars on the right-hand side of the chart indicate the introduction of much more frequent *coercive* actions — those that involve the threat or use of punishment — since 2007. This indicates that China's policy underwent what Hermann termed a "program shift," wherein new methods are deployed in pursuit of the state's foreign policy goals, as well as increased intensity of existing practices.³⁷ The finding is consistent with Zhang's data on the PRC's coercive responses to Southeast Asian countries' energy and construction activities, but contrasts with most English-language accounts of the PRC's South China Sea policy, which typically date the assertive shift to 2009, 2012 or even later.

³⁷ Hermann, "Changing course."

Thirteen cases of new or intensified PRC coercive behaviors were identified between 1970 and 2006 — an average of 0.3 cases per year. By contrast, 19 such cases have been observed in the nine years since 2007. This represents an average of 2.1 cases per year, a sevenfold increase in observations of the most dangerous type of assertive activity short of the use of force. In fact, when coercive forms of assertive activity are excluded from the analysis, the difference between the pre- and post-2007 periods no longer meets conventional levels of statistical significance.³⁸ New coercive actions, in other words, account for the most of the overall quantitative change in China's assertive behavior in the South China Sea since 2007.

No subsequent year has established a new pattern of behavior different from the one that began in 2007. The strongest alternative candidate is 2012, when nine cases were observed, including the seizure of Scarborough Shoal, making it the PRC's most assertive year since 1970. However, this did not constitute a turning point. Rather than continuing to accelerate after 2012, the average yearly number of intensified assertive actions fell back to 5.3 per year in 2013-2015, only marginally higher than the 5.1 observed on average each year since 2007. Thus, 2012 is better seen as an extreme case within a broader pattern established five years earlier.

Finally, dating the PRC's assertive shift to 2012 would also obscure a crucial feature of the change in China's behavior that distinguishes its current policy from earlier periods. If, as the data presented here suggest, the fourth surge in assertive PRC maritime behavior began in 2007, then it is also by far the most protracted. The three previous surges lasted only two or three years. In contrast, the intensification of PRC activity that began in 2007 has continued for a decade and beyond.

Layers of assertiveness

What have these patterns added up to across the period since 1970? Figure 2 addresses this question by adding into the picture what is known, or can reasonably be inferred, about the duration of each identified case of intensified assertive conduct. In more than one-third of cases, the intensification of China's assertiveness marked a "new normal" that has continued through to the present. This stands to reason, given that many assertive actions are by nature ongoing and continuous, such as domestic legal and administrative moves and the construction of facilities in disputed areas, which remain in place until abolished or abandoned. Figure 2 illustrates how each of the surges in the 1970s, 1980s and 1990s established a new and higher overall baseline level of PRC assertiveness in the dispute. But the cumulative layering of assertive behaviors also reflects deeper dynamics of state policymaking in maritime and territorial disputes.

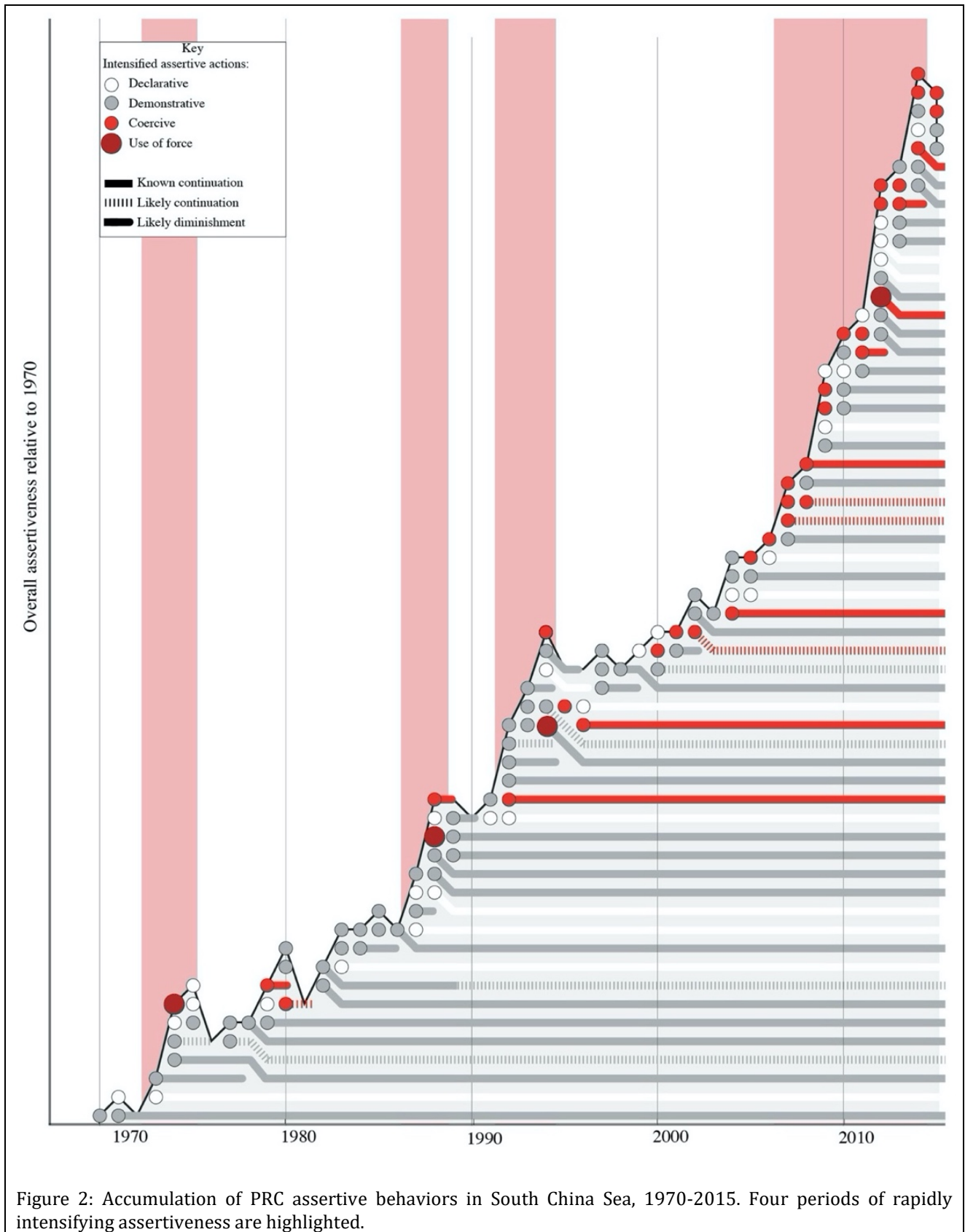
Assertive actions in a disputed area at one point in time often lay the groundwork for subsequent intensifications of activity. Garver has noted how China's construction activities in the South China Sea in the 1970s and 1980s created the "physical base" for the expansion of PRC control in the area.³⁹ New unilateral administrative practices over a disputed area not only create *micro-faits accompli*, they can also have long-term consequences beyond any discernable

³⁸ See Appendix.

³⁹ Garver, "China's push," pp. 1006, 1008.

change in the status quo. Building a new road in a disputed territory, or expanding an occupied island or reef, can support increased administrative presence and resource exploitation in surrounding areas. Scientific research — especially cartography, meteorology and oceanography — is a precondition for future military operations, infrastructure and patrolling. An increase in patrolling at one point in time can facilitate further increases in following years, as front-line actors gain experience and confidence operating in once-unfamiliar areas. The Philippines-China standoff over Scarborough Shoal in 2012 provided a vivid illustration of this dynamic. The PRC's rapid on-water intervention to block the Philippines Navy from arresting Chinese fishermen was only possible because two maritime surveillance vessels were located nearby on a regular patrol. Such patrols commenced in the South China Sea in 2007. Five years later, these demonstrative behaviors directly enabled the PRC's seizure of Scarborough Shoal.⁴⁰

⁴⁰ As explained by the head of the State Oceanic Administration in a 2012 television interview. "Liu Cigui: Bohai yiyou haishang wuran yanzhong (Liu Cigui: Pollution Serious from Bohai Oil Spill)," Phoenix TV, June 11, 2012, available at https://phtv.ifeng.com/program/wdsz/detail_2012_06/11/15202134_0.shtml



The accumulating layers in Figure 2 thus illustrate how assertiveness results not only from contemporary policy decisions, but also from groundwork laid down in previous years. This has important implications for the explanation of observed shifts in behavior. Causal links between past and present lines of action make it necessary to consider not just the immediate triggers for an observed change in state behavior, but also temporally distant decisions, and slower-moving processes whose effects may only become observable years after being set in motion. As the next section will show, these quantitative events data help to rule out several dominant explanations for change in the PRC's policy, but further understanding of what *does* lie behind observed changes will require focused qualitative analysis.

The analysis above represents the first systematic attempt at measuring the long-term changes over time in the behavior of the PRC in the South China Sea dispute. Operationalizing the typology of assertive state behavior in maritime and territorial disputes with a unique time series of events data demonstrates several important descriptive findings. Increasing assertiveness is not a new feature of China's policy in the South China Sea, and within this overall trend of increasing activity, four turning points have each established a new policy status quo on the issue. The surges in PRC assertiveness that followed the turning points in 1973, 1987 and 1992 lasted around 3 years, but China's fourth push through the South China Sea is far more sustained, having begun in 2007, several years earlier than most English-language analysis has assumed. These findings provide an important descriptive foundation upon which to qualitatively investigate the causes of change in Beijing's behavior.

Explaining China's policy shifts

Explanations for China's South China Sea policy broadly fall into two groups, respectively emphasizing external and internal factors. The former point primarily to changes in the strategic context in which the PRC operates. In line with realist expectations, many analysts argue China acts as assertively as its strategic circumstances permit. Thus, favorable changes in the PRC's relative power within its region — both internally from the growth of China's own military, economic and technological capabilities, or externally from the decline of those of others, particularly the US — have resulted in China intensifying its activities.⁴¹ As Friedberg argues, behind the PRC intensified assertiveness lies “increasingly favorable leadership assessments of the nation's relative power and of the threats and opportunities that it confronts.”⁴²

A second popular explanation for policy change in the South China Sea has been resources, particularly hydrocarbons and fisheries.⁴³ In general, the higher the value of the disputed

⁴¹ Robert Gilpin, *War and Change in World Politics* (Princeton: Princeton University Press, 1981), pp. 94-95; Chi-Kin Lo, *China's Policy Towards Territorial Disputes* (London: Routledge, 1989); Jie Chen, “China's Spratly Policy: With Special Reference to the Philippines and Malaysia,” *Asian Survey* Vol. 34, No. 10 (1994), pp. 893-903 (901-902).

⁴² Friedberg, “The Sources of Chinese Conduct,” p. 143.

⁴³ Swaran Singh, “Continuity and Change in China's Maritime Strategy,” *Strategic Analysis* Vol. 23, No. 9 (1999), pp. 1493-1508 (1506).

resources to the disputants, the greater the incentives for competition.⁴⁴ Research on energy conflict has also associated revolutionary forms of government, oil-centric economies and narrow rent-seeking selectorates with resource-fueled aggression.⁴⁵ International estimates of the South China Sea's oil and gas reserves have been revised downward over time, but internal Chinese government sources dating back to the 1970s have consistently touted their potential, along with other mineral deposits rarely mentioned in outside analysis.⁴⁶ The area's abundant tropical fisheries are also heavily emphasized in PRC sources, and the severe depletion of fish stocks in coastal waters in the post-1978 reform era underscores the plausibility of resources as a driver of PRC policy there.⁴⁷

Third, following the logic of preventive war, states may make assertive moves in the present to avoid doing so under worse circumstances in the future. When a state's bargaining position in the dispute is weak and deteriorates further, leaders may perceive the possibility of a favorable diplomatic resolution to be in danger of declining to zero, creating incentives for escalatory action to preserve the claim.⁴⁸ Fravel's exhaustive study of the PRC's territorial disputes found that "China has been more willing to use force when its bargaining power has declined, not strengthened." Following this logic, external developments that significantly weaken the PRC's position in the dispute — such as new assertive actions by other claimants — may explain an increase in the state's assertiveness.⁴⁹

Fourth, changes in the international normative context could spur new assertive behaviors. The UNCLOS regime has hardened disputed maritime claims on all sides, spurred the development of new enforcement capabilities, and created incentives for assertive actions to advance their legal positions.⁵⁰ According to Sheila Smith, this has been the case in the East China Sea, where the Law of the Sea has hardened the claims of Japan and China to the oil and gas resources in the area.⁵¹

Internal explanations for China's assertive policies include domestic legitimacy issues; rising nationalism; elite competition; bureaucratic politics; and individual leaders. Domestic

⁴⁴ Charles L. Glaser, "How Oil Influences U.S. National Security," *International Security*, Vol. 38, No. 2 (Fall 2013), pp. 112-145, (122-123); Jeff Colgan, "Fueling the Fire: Pathways from Oil to War," *International Security*, Vol. 38, No. 2 (Fall 2013), pp. 146-180 (156).

⁴⁵ Jonathan N. Markowitz, "Prices or Power Politics? When and Why States Coercively Compete over Resources," in Kelly Greenhill and Peter Krause ed., *Coercion: The Power to Hurt in International Politics* (New York: OUP, 2018), pp. 271-287; Jeff D. Colgan, "Oil and Revolutionary Governments: Fuel for International Conflict," *International Organization*, No. 64 (Fall 2010), pp. 661-694.

⁴⁶ E.g. Qu, "Nanhai haishang jubu zhanzheng," p. 117; Liu, *Liu Huaqing Huiyilu*, pp. 534-535.

⁴⁷ As of 2004, according to FAO statistics, Chinese boats took 3.6 million tons of fish from the South China Sea, equal to 25 percent of the country's catch. Philippine and Malaysian fisheries were worth more than US\$1 billion in 2007. https://map.seafdec.org/fisherybulletin/statistical_bulletin/fisher_prd_mr_action.php

⁴⁸ Huth, *Standing Your Ground*, p. 55; Fravel, "Power Shifts and Escalation," pp. 48-50.

⁴⁹ Fravel, *Strong Borders*, pp. 7-9, 31; Swaine and Fravel, "China's Assertive Behavior."

⁵⁰ Isaac Kardon, *China's Law of the Sea* (Yale University Press, forthcoming); Andrew Chubb, *Chinese Popular Nationalism and PRC Policy in the South China Sea* (Ph.D dissertation, University of Western Australia, 2017), Chapter 4.

⁵¹ Sheila Smith, *Intimate Rivals: Japanese Domestic Politics and a Rising China* (New York: Columbia University Press, 2015), pp. 107-110.

legitimacy issues may have prompted international confrontation, per diversionary conflict theory. Many analysts have argued further that rising nationalist sentiments among the public in China has created pressure for tough foreign policies in order to preserve regime legitimacy.⁵² Sub-state policy interests are argued to have lobbied successfully for assertive policies, with competing maritime agencies seeking to stretch their mandates, win budgetary allocations, and secure political prestige within the PRC bureaucracy.⁵³ Politically, intensified intra-state competition could make arguments for restraint prohibitively risky for CCP elites.⁵⁴ Finally, individual leaders could make a difference: a politically weak leader may lack the authority to prevent assertive maritime conduct, or a more hawkish leader may drive a more assertive policy after taking charge.⁵⁵

Four breakpoints

As James Rosenau suggested, breakpoints in a state's behavior offer important information upon which to base explanations of foreign policy change.⁵⁶ Below, the four breakpoints identified in the events data on Beijing's maritime behavior — 1973, 1987, 1992 and 2007 — are assessed in light of existing works and a range of PRC party-state sources. In addition to the materials used in the events data, further insights are drawn from internal speeches and conference papers by party and military personnel, retrospectives of PRC officials, government advisory reports and, in the most recent case, search engine activity data and online media content. The scarcity of evidence from the CCP leadership's internal policy deliberations means a comprehensive process tracing of the relevant state decisions is not yet possible. Still, the four case studies below bring new evidence to light on long-debated events, including the move into the Spratly Islands in 1987 and the seizure of Mischief Reef in 1994, while providing insights into the broad patterns identified in the quantitative data.

With the important exception of Garver, most analyses of China's policies in the South China Sea in the 1970s, 1980s and 1990s have focused on explaining Beijing's use of force. The assertiveness framework developed here places the use of force within a broader context of

⁵² Robert Ross, "The Problem With the Pivot," *Foreign Affairs*, Vol. 91, No. 6 (2012), pp. 70-82; Suisheng Zhao, "Foreign Policy Implications of Chinese Nationalism Revisited," *Journal of Contemporary China*, Vol. 22, No. 82 (2013), pp. 535-553; Medcalf and Heinrichs, *Crisis and Confidence*, p. 21.

⁵³ Yingxian Long, "China's Decision to Deploy HYSY-981 in the South China Sea: Bureaucratic Politics with Chinese Characteristics," *Asian Security* Vol. 12, No. 3 (2016), pp.148-165; Wong, "More than Peripheral," pp. 744-752; Garver, "China's Push," pp. 1026-1027; Jakobson, *China's Unpredictable Maritime Security Actors*, p. 6; ICG, *Stirring Up the South China Sea (I)*, pp. 18-26.

⁵⁴ James Reilly, *Strong Society, Smart State* (New York: Columbia University Press, 2012); Joseph Fewsmith and Stanley Rosen, "The Domestic Context of Chinese Foreign Policy: Does 'Public Opinion' Matter?" in David M. Lampton ed., *The Making of Chinese Foreign and Security Policy in the Era of Reform* (Stanford: Stanford University Press, 2001), pp. 151-187; M. Taylor Fravel, "Explaining stability in the Diaoyu (Senkaku) Islands dispute," in Gerald Curtis, Ryosei Kokubun and Jisi Wang eds., *Getting the Triangle Straight: Managing China-Japan-US Relations* (Washington, D.C.: Brookings, 2010), p. 158.

⁵⁵ You Ji, "The PLA and Diplomacy," p. 253; Sutter and Huang, "China's Toughness on the South China Sea."

⁵⁶ James Rosenau, "Towards Single-Country Theories of Foreign Policy," in Charles Hermann, Charles Kegley and James Rosenau (eds.), *New Directions in the Study of Foreign Policy* (Winchester: Allen & Unwin, 1987), pp. 53-74 (61).

state behavior in the disputed area, opening up new conclusions about both the timing and sources of the PRC's maritime dispute policies. In particular, scholars have argued over whether the PRC's the use of force in 1974 and 1988 was opportunistic or preventative, and debated the relative importance of energy resources and domestic politics behind the decisions. As the analysis below shows, these arguments are generally not mutually exclusive, but they each overlook deeper processes animating change in the PRC's approach to maritime issues. Force has been one tool serving a broader, evolving goal of administrative control over maritime space that has emerged through the PRC's engagement with the developing of the Law of the Sea regime.

1973: pushing past the Paracels

From late 1973 onwards, the PRC used force to evict South Vietnam from the Paracel Islands and stepped up its civilian presence and military infrastructure construction. Saigon was not the only target, however, as the PRC quickly pushed past the Paracels, launching a systematic program of general scientific surveys in the waters to the east and south of the archipelago. The PRC also dialed up criticism of the Philippines over its moves in the Spratlys, opened up a new China-Philippines bilateral dispute over Scarborough Shoal, and began asserting its restrictive position on foreign military surveillance in and beyond the territorial seas against the US and USSR. Existing accounts of China's actions in this period have pointed to advantageous geopolitical circumstances, negative local developments in the disputed area, and a growing struggle over offshore energy resources, to explain the PRC's use of force against South Vietnam. But as shown below, the Paracels operation was part of a more general policy shift rooted in the international normative environment.

The most visible element of the surge from 1973 was the seizure of the southwestern half of the Paracel Islands, known as the Crescent Group. The operation, which established PRC control over the entire archipelago for the first time, was an early demonstration of the PRC's use of irregular maritime forces as front-line implementers of new policies. It began when armed fishing crews — maritime militia — began staking out unoccupied islands in the Crescent Group from December 1973.⁵⁷ Military confrontation followed in January 1974 when Saigon sent reinforcements to push the PRC out of its new positions. This advance into the Crescent Group was clearly well planned, even though Beijing probably had not intended to immediately evict the nearby South Vietnamese forces.⁵⁸ Drawing on eyewitness testimony, the United States

⁵⁷ Fravel, "Power shifts," p. 75 note 111; Fravel, *Strong Borders*, p. 280; Dieter Heinzig, *Disputed Islands in the South China Sea: Paracels—Spratlys—Pratas—Macclesfield Bank* (Hamburg: Institute of Asian Affairs, 1976), p. 34, available at: <https://www.cia.gov/library/readingroom/document/cia-rdp08c01297r000300180013-8>; on the recent roles of China's maritime militia, see Andrew S. Erickson and Conor M. Kennedy, "China's Maritime Militia," in Michael McDevitt ed., *Becoming a Great "Maritime Power": A Chinese Dream* (Arlington, VA: CNA Corporation, 2016), pp. 62-83, available at: https://www.cna.org/CNA_files/PDF/IRM-2016-U-013646.pdf

⁵⁸ Fravel, *Strong Borders*, pp. 281-282.

Army Special Research Detachment assessed that preparations were “initiated at least by December 1973, and possibly as early as September 1973.”⁵⁹

The advance was well timed to capitalize on the weakness of the South Vietnamese regime and the warming of Sino-American relations after 1972. A US intelligence memo at the time referred to the prospect of American support for South Vietnam in the Paracels as “virtually ruled out.”⁶⁰ China’s leaders may also have sensed a closing window of opportunity to prevent the South Vietnam-held islands from falling into the hands of Soviet-backed North Vietnam, which would be more capable of defending them than the moribund Saigon government. As Chi-kin Lo has shown, signs of mistrust between Beijing and Hanoi over the issue were already emerging by 1973.⁶¹ Fravel finds that documentary evidence to support a “window of opportunity” interpretation is lacking, but acknowledges that the US drawdown in Southeast Asia resulted in “reduced constraints on China's use of force[.]”⁶² At a minimum, then, these positive changes in the PRC’s relative power position within its region presented advantageous conditions for the move into the Crescent Group.

Energy resources were quickly touted as a likely driver of the PRC’s actions.⁶³ Preliminary seismic surveys conducted under United Nations auspices had identified potential hydrocarbons in the Spratly area in 1969, prompting the Philippines and South Vietnam to occupy islands and initiate hydrocarbon explorations there.⁶⁴ The assertive push also coincided with the spike in world oil prices after the October 1973 OPEC embargo, increasing the incentives for confrontation over resources. However, while the potential resource bounties may have contributed to the PRC’s calculations, they were probably not a central motivation. The PRC’s made its first official claim to resource rights around the disputed islands more than four years after the UN survey, and the statement did not refer to oil and gas in particular.⁶⁵ China was also insulated from the oil price shock, being self-sufficient in oil production at that time thanks to the large onshore field at Daqing.⁶⁶ As shown below, if energy resources mattered, it was as one element of a broader emerging PRC interest in the area.

A little-noted scientific program that immediately followed the Paracels operation casts significant new light on the motivations behind the PRC’s South China Sea policy at this time.⁶⁷

⁵⁹ United States Army Special Research Detachment (USASRD), *Chinese Amphibious Assaults in the Paracel Archipelago January 1974*, SRD-SR-44-74 (Fort George G. Meade, MD: 1974). Thanks to Bill Hayton for sharing this source.

⁶⁰ Office of the Director of Central Intelligence, “Potential for Conflict Over Certain Disputed Islands in the East and South China Sea,” Library of Congress, Document No. LOC-HAK-558-15-12-3, 5 February, 1974, p. 11, available at: <https://www.cia.gov/library/readingroom/document/loc-hak-558-15-12-3>

⁶¹ Lo, *China's Policy*, pp. 68-73.

⁶² Fravel, *Strong Borders*, pp. 284-286.

⁶³ CIA, “The Paracel Islands Incident,” Central Intelligence Agency, January 21, 1974, p.3, available at: <https://www.cia.gov/library/readingroom/document/cia-rdp85t00353r000100010005-0>

⁶⁴ See Marwyn Samuels, *Contest for the South China Sea* (New York: Methuen, 1982), p. 155.

⁶⁵ *Renmin Ribao (People's Daily)*, 12 January, 1974, p. 1.

⁶⁶ See Lee Hong-Pyo, “China’s Petroleum Trade,” *Journal of East Asian Affairs*, Vol. 4, No. 1 (1990), pp. 184-221.

⁶⁷ Garver noted that “the seas south of the Paracels were surveyed between 1973 and 1978,” but did not discuss the implications of this for the PRC’s interests in the area. Garver, “China’s push,” 1006.

In the first half of 1974, as illustrated in Figure 3, the PRC launched a systematic program of scientific surveys the across “Paracel Archipelago Sea Area” (*Xisha Qundao hai qu*) — a wide geographic area named after, but extending far beyond, the archipelago. These investigations were much more than a hunt for oil and gas. A government yearbook describes their breadth of purpose: “The unfolding of marine hydrological-meteorological, geographical-geological, biological, chemical and physical survey research has extreme significance for fisheries production, transportation, oil and gas exploitation, warship activities, overall resource appraisals and maritime forecasting.” Besides geological samples, they collected large volumes of biological specimens, gravitational, magnetic, bathymetric, and meteorological data.⁶⁸

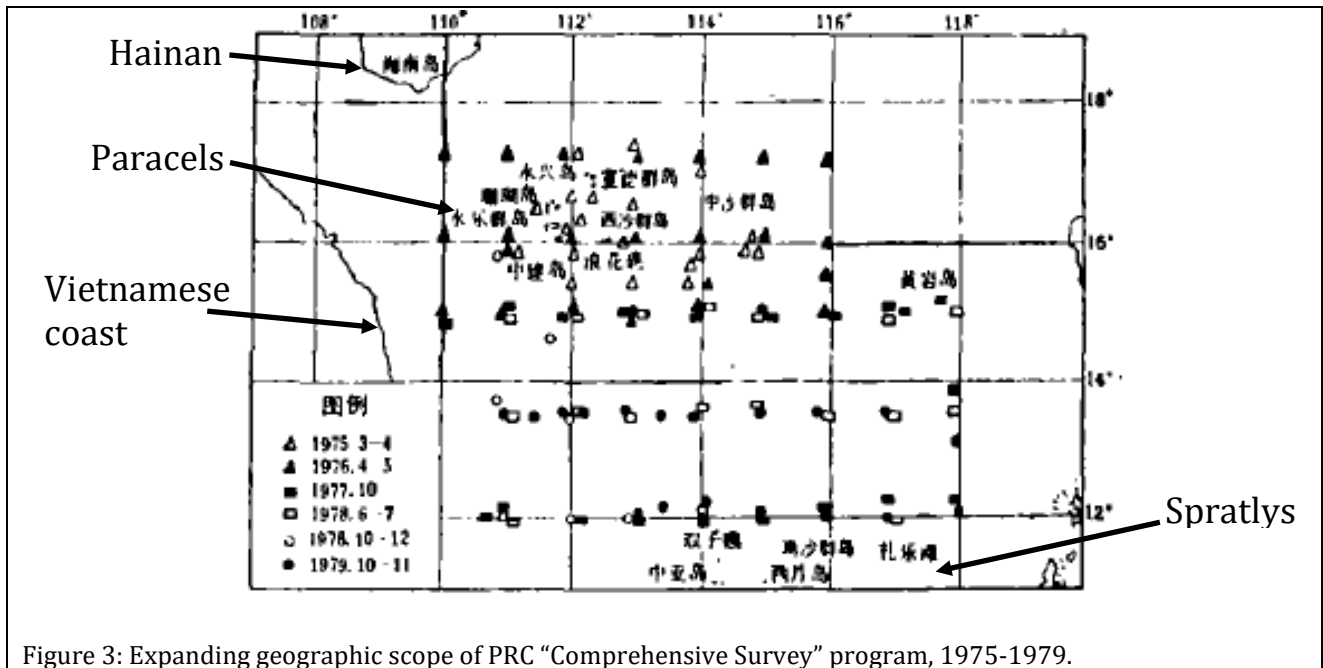


Figure 3: Expanding geographic scope of PRC “Comprehensive Survey” program, 1975-1979.

The scope of the comprehensive survey program soon expanded southwards from the “Paracel Archipelago Sea Area” to the “Central South China Sea Sea Area” (*Nanhai zhongbu haiqu*). The rapid push past the Paracels, and the spatial arrangement of these operations, with measurement stations evenly spaced across wide expanses of sea, illustrates clearly how the scope of the PRC’s interests in the South China Sea had expanded beyond claims to the disputed island territories, which it had inherited from its civil war rival, the Republic of China. The PRC’s interests in the South China Sea had undergone a crucial redefinition, beyond island territories, and towards broad-ranging administrative rights across large maritime spaces — including, but by no means limited to, the resources within. Developments in the international normative context of the emerging Law of the Sea explain why this new interest in the administration of maritime space was at the forefront of policy planning at the time.

The match between the start of the UNCLOS III negotiations in 1973 and China’s assertive push past the Paracels was not coincidental. The negotiations specifically sought to codify new norms of state jurisdiction beyond the narrow customary territorial sea limit, and their

⁶⁸ SOA, *Zhongguo Haiyang Nianjian 1986*, p. 403-404.

commencement prompted the PRC's first official statements on the matter in July and August 1973.⁶⁹ As Kardon shows, the PRC's positions on state jurisdiction at sea were at first derived largely from other Third World states' statements over the preceding years, but Beijing quickly emerged as an influential player in the negotiations.⁷⁰ The PRC's advocacy for a 200nm Exclusive Economic Zone, as against other less expansive proposals, reflected the CCP's radical ideological line of the time. However, it was detrimental to the PRC's material interests, as PRC delegates later lamented.⁷¹ Specifically, the 200nm EEZ norm greatly bolstered, and in some cases even created, the legal resource claims of China's neighbors in the East and South China Seas — as illustrated starkly in the 2013-2016 arbitration case launched by the Philippines under the UNCLOS. The PRC has wrestled with this legacy of greatly expanded, yet materially unfavorable, norms of maritime jurisdiction, ever since.

As the negotiations unfolded through 1974, the PRC's position moved well beyond that of other Third World states, introducing claims for the recognition of security interests in the new jurisdictional zones, in addition to economic rights. Among other claims, the PRC asserted authority over all scientific research and military activities in the EEZ.⁷² The UNCLOS III process thus not only crystallized the party-state's interests in offshore resources, but also wide-ranging security interests across large expanses of ocean — a position that has been a key point of US-China friction in East Asia since that time. The expansive PRC positions on state jurisdiction at sea that emerged through the UNCLOS negotiations in the 1970s were formulated at the highest levels of the party-state. Former diplomat and ITLOS judge Xu Guangjian, who was part of the PRC's negotiating team, has stated that a central-level leading group was established under State Council leadership to oversee the negotiations, coordinating a cross-departmental delegation that included the Foreign Ministry, State Geological Bureau, State Oceanic Administration, and PLA Navy.⁷³

⁶⁹ "Working Paper on Sea Area Within National Jurisdiction Submitted by Chinese Delegation," United Nations General Assembly, 16 July, 1973 (A/AC.138/SC.II/L.34); Gao Zhiguo, "China and the Law of the Sea," *Maritime Policy*, May 1991, pp. 199-209.

⁷⁰ Kardon, *Rising Power, Creeping Jurisdiction: China's Law of the Sea* (Ph.D dissertation, Cornell University, 2017), pp. 93-97, and on the PRC's impact in the negotiations, pp. 104-120.

⁷¹ Delegation leader Ling Qing recalled realizing this only in 1976 after a foreign delegate gave him a dossier of detailed calculations of how resources would be apportioned under the 200nm scheme. By this time, according to Ling, the PRC's position was too far entrenched for major change to be politically feasible. Shan Xu, "Lianheguo Haiyangfa Gongyue tanpan shimo: Zhong-Ri ceng jiu dalujia huajie jiaofeng (The full story of the UNCLOS negotiations: China and Japan crossed swords over continental shelf delimitation)," *Liaowang Dongfang Zhoukan (Oriental Outlook Weekly)*, 10 December, 2012, available at: https://news.ifeng.com/shendu/lwdfzk/detail_2012_12/10/20017168_0.shtml

⁷² During the negotiations the PRC characterized the EEZ as a "sea area under national jurisdiction," within which coastal states had the right to prosecute both security and economic matters, exercising "overall control and regulation of environment and scientific research." These security elements were not present in the earlier Third World statements such as the 1970 Montevideo Declaration on the Law of the Sea, and the 1972 Santo Domingo declaration by Caribbean states. The key PRC statements appear in the records of the 2nd Session, 25th Plenary Meeting (A/CONF.62/SR.25), July 2, 1974; 2nd Session, 3rd Committee, 8th Meeting (A/CONF.62/C.3/SR.8), July 19, 1974; and 2nd Session, 2nd Committee, 24th Meeting (A/CONF.62/C.2/SR.24), August 1, 1974. Available at: https://legal.un.org/diplomaticconferences/1973_los

⁷³ Shan, "Lianheguo Haiyangfa."

Evidence for internal drivers as a cause of the new assertiveness from 1973 is comparatively weak. The new maritime interests driving the assertive policy transcended narrow sub-state interests, with the Paracels operation reportedly overseen by Marshal Ye Jianying and Deng Xiaoping at the behest of Chairman Mao.⁷⁴ Not only had Mao restored Deng to the Central Military Commission in 1973 following four years in political exile, he had also brought back Su Zhenhua, a proponent of naval modernization, as Political Commissar of the PLA Navy.⁷⁵ Nor do distinct bureaucratic interests of the PLA Navy do not appear to have been an important factor. The policy shift also involved a diverse array of actors within the party-state: while the PLAN and local maritime militia implemented the Paracels operation, the Chinese Academy of Sciences conducted the subsequent “comprehensive survey” programs south of the Paracels, and the assertive South China Sea propaganda campaigns against Hanoi and Manila came from organs largely controlled by the “Gang of Four” radicals. Finally, as noted above, the PRC’s positions in the UNCLOS negotiations were formulated through a cross-departmental leading group under State Council leadership.⁷⁶

As economic growth fluctuated and the political campaigns of the Cultural Revolution dragged on, the basic conditions existed for diversionary foreign policy arguably existed. Yet, whatever domestic insecurities CCP leaders may have felt in 1973, they surely paled in comparison to those they faced in 1976. The death of Premier Zhou Enlai turned into a serious political crisis when massive crowds commemorating Zhou turned into angry demonstrations denouncing the radical CCP leadership. As Teiwes and Sun have noted, this constituted “the first challenge to the regime from below” in the PRC’s history.⁷⁷ This was followed in quick succession by the death of Mao, the massive Tangshan earthquake that killed more than 200,000 people, and an economic recession (Figure 4). Each of these events added further grave challenges to the party’s authority. Yet far from prompting a foreign policy confrontation, this series of domestic political issues coincided with a lull in China’s assertiveness in the South China Sea.

No new assertive behaviors are known to have been introduced in 1976. Importantly, however, because most of the new activities were ongoing, China’s baseline policy was now significantly more assertive than it had been before the surge, and its activity continued to increase through the latter part of the decade. Beijing still lacked any presence in the larger Spratly archipelago, where its Southeast Asian rivals’ assertive activities continued to increase. But Beijing now had full control of the Paracels and had begun laying the groundwork for exercising broad-ranging state administration over sea areas around and between the two archipelagos. It would take decades for this new aspiration to become a realistic goal, but China’s advances in the South China Sea at this time provided the foundation for the next surge, to the much more remote Spratly archipelago.⁷⁸

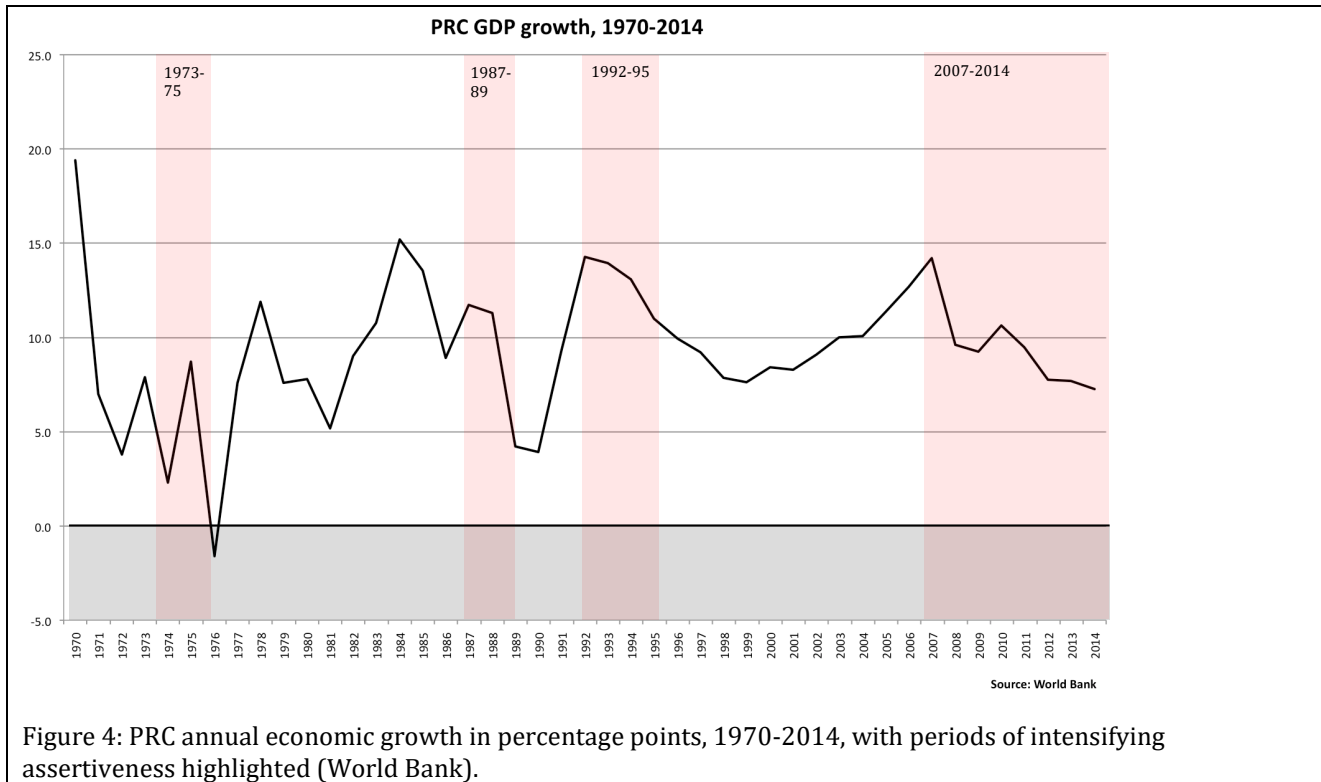
⁷⁴ Lo, *China's Policy*, p. 83.

⁷⁵ Garver, “China’s push,” p. 1003; Su in particular was known as a proponent of naval modernization and professionalization, as against the radical egalitarianism of the “Gang of Four.” Lo, *China's Policy*, pp. 67-68.

⁷⁶ Shan, “Lianheguo Haiyangfa.” According to this source, a number of the PRC negotiators went on to play vital roles in the PRC’s emergent maritime industries.

⁷⁷ Frederick Teiwes and Warren Sun, “The First Tiananmen Incident Revisited: Elite Politics and Crisis Management at the End of the Maoist Era,” *Pacific Affairs*, Vol. 77, No. 2 (2004), pp. 211-235.

⁷⁸ Garver, “China’s push,” p. 999.



1987: surging to the Spratlys

The PRC's assertiveness in the South China Sea from 1987 repeated several features seen in the 1973-1975 surge. Once again, the PLA Navy clashed with Vietnamese forces sent to oppose a well-planned PRC operation to seize unoccupied features. Like the 1974 battle, the Sino-Vietnamese confrontation of 1988 was only the most salient result of a more general shift in the PRC's policy that pre-dated the clash. Beijing's verbal assertiveness against ASEAN claimants re-emerged after more than a decade; and there is evidence PRC policy planners intended the move against Vietnam in part to serve as a warning to Malaysia and the Philippines.⁷⁹ The surge to the Spratlys was accompanied by another major expansion in civilian "comprehensive surveys," with intense multi-disciplinary scientific surveying now covering the entire "nine-dash line" area. And like in 1976, the wave of assertiveness stalled with the arrival of a serious domestic legitimacy crisis.

The move into the Spratlys was based on highly favorable assessments of the regional geopolitical situation the time. PRC planners expressed confidence that neither superpower would intervene so long as Vietnam were the ostensible target. In mid-1987, for example, Han Yujia of the PLA General Staff Department's (GSD) Intelligence Division told a naval research center that since China was already at war with Vietnam on the land border, fighting Vietnam

⁷⁹ Naval Command, "Guanyu 'Nansha Qundao wenti,'" pp.14-15; Han, "Nanhai zhanlüe," p. 61.

in the Spratlys, “will not have much of an effect internationally . . . we estimate that the US and USSR will not stand with China, nor directly oppose China . . . in military terms the probability of their direct involvement is low.”⁸⁰ Numerous other internal documents echo this assessment, which proved accurate.⁸¹

A key Vietnamese material strength was its military alliance with Soviet Union, which maintained a large naval base at Cam Ranh Bay. But as Sino-Soviet relations moved towards normalization after Gorbachev's ascension in 1985, analysts in Beijing had observed a succession of signals of reduced Soviet alliance commitment to Vietnam.⁸² PRC sources also indicate a recognition of a temporary window of opportunity to move into the Spratlys with minimal risk of encountering strong international opposition. Participants in a January 1988 naval conference on the issue noted that “major countries” such as Japan and the US were likely to become involved in developing oil and gas resources in the South China Sea, which would complicate future attempts to expand the PRC presence. According to a summary provided by the Naval Command to the General Staff Department, the majority view at the cross-departmental conference was that the PRC should make its move before Vietnam's entanglements in Cambodia were resolved.⁸³

China's position in the South China Sea dispute was not rapidly worsening before its assertive shift in 1987. Détente between Washington and Moscow reduced the possibility of global superpower conflict, enabling Beijing to concentrate more attention and resources on its periphery, including disputed maritime territorial claims.⁸⁴ On the local level, as Fravel points out, Southeast Asian claimants occupied around a dozen Spratly features between 1980 and 1988, “weakening China's bargaining position in a dispute in which it held no contested land.”⁸⁵ But Chinese military sources indicate the majority of these actions occurred in 1988, *after* the PRC made its move.⁸⁶ In the two years before China's policy shifted on the water, Vietnam and Malaysia occupied three previously vacant Spratly reefs, but none of these features was a land territory.⁸⁷ The archipelago's 15 natural islands and rocks had virtually all been occupied by the end of the 1970s, the most recent being Malaysia's occupation of Swallow Reef in 1983. Given that even today there remain many dozens of unoccupied submerged reefs in the area, it

⁸⁰ Han Yujia, “Nanhai zhanlüe,” pp. 61-62.

⁸¹ *Nansha Wenti Lunwen Ziliao Huibian (Compendium of Essays and Materials on the Spratly Issue)*, (Beijing: Haijun Junshi Xueshu Yanjiusuo, 1988), pp. 54, 108, 118-119, 129.

⁸² Chen, “China's Spratly Policy,” pp. 901-902.

⁸³ Naval Command, “Guanyu 'Nansha Qundao wenti,’” pp. 13-14.

⁸⁴ Chen, “China's Spratly Policy,” pp. 901-902.

⁸⁵ Fravel “Power Shifts and Escalation,” p. 77.

⁸⁶ See for example “Waiguo qinzhū wō Nansha daojiāo qingkuāng (Situation of Foreign Countries Occupation of China's Spratly Islands and Reefs),” in *Nansha Zigu Shu Zhonghua (The Spratlys Have Belonged to China Since Ancient Times)*, (Guangzhou: Guangzhou Junqu Silingbu Bangongshi, 1988), pp. 203-207. This source lists eight new occupations between January and March 1988, *after* the PRC moved in, compared with two in 1987, two in 1986, one in 1983, and one in 1980, for a total of 14 features occupied between 1980-1988.

⁸⁷ Malaysia occupied Ardasier Reef (光星仔礁) and Mariveles Reef (南海礁) in 1986, and Vietnam occupied Barque Canada Reef (柏礁) in early 1987. See *ibid.* pp. 204-205; and Zhang, *Nansha Qundao Dashiji*, pp. 113, 203. Vietnam also occupied West Reef (西礁) in December 1987, also after China's push into the Spratlys began, not before.

is hard to see the occupation of such marginal features as constituting a rapid decline in the PRC's bargaining position. The accumulation of assertive actions by other claimants over the preceding decade may well have spurred the PRC's motivations, offering moral and political justifications for a move into the Spratlys. But there is little reason to believe Beijing would have refrained from such a move had other claimants been more restrained.

Preparations for establishing a foothold in the Spratlys are apparent from 1982, which saw the appointment of Liu Huaqing as PLA Navy Commander, and the conclusion of the UNCLOS negotiations. Once again, a key milestone in the development of the Law of the Sea closely preceded the PRC's push for expanded sea control. In the first half of 1983, Beijing ordered the PLA Navy's first mission to the southernmost extent of China's claims in the South China Sea, sent the State Oceanic Administration to conduct new oceanographic surveys of the central South China Sea, and issued a new standardized list of 287 official names for the islands, rocks and reefs of the Spratly archipelago.⁸⁸ The following year, the Chinese Academy of Sciences (CAS) launched the first comprehensive surveys of the southern South China Sea, gathering gravitational, hydrological, meteorological, and resource information necessary for establishing a permanent presence there.⁸⁹ In 1985, the Central Military Commission adopted revised strategic guidance endorsing Liu's "offshore defense" concept, which had been in development since the late 1970s. This crucial reorientation, turning the focus of the navy's operations from coastal areas to the "near seas," within the first island chain, was an important condition for the PRC's expansion into the Spratlys from 1987.⁹⁰

A map of the routes taken by the CAS surveys between 1984 and 1986 illustrates the PRC's increasingly concrete interests in the maritime spaces across the specific area enclosed by the nine-dash line (Figure 5).⁹¹ By early 1987, with the top leadership actively considering an operation to establish a presence in the Spratlys, the State Council ordered the CAS to further "strengthen survey research in Spratly waters." In response, the academy organized the largest expedition yet, sending two ships on a 6-week voyage that had "major significance for correcting charts, exploiting resources and navigation." The mission investigated candidate locations for occupation, and placed sovereignty markers on Jackson Atoll and Louisa Reef.⁹²

The comprehensive scientific survey program that preceded the move into the Spratlys was also indicative of a heightened interest in the aquatic resources and hydrocarbon deposits of the area. However, this related less to resource security or increasing resource values than to the transformation of the PRC's economic model, which rapidly increased demand for energy, while also unleashing profit-oriented fishing enterprises, placing coastal fisheries under strain. A ban on fishing in the Spratlys, in effect since 1954, was lifted in 1985, after which the Ministry

⁸⁸ SOA, "Dashiji: 1983"; Zhang, *Nansha Qundao Dashiji*, p.97.

⁸⁹ Zhang, *Nansha Qundao Dashiji*, p. 97.

⁹⁰ Xu Qi, "Maritime Geostrategy and the Development of the Chinese Navy in the Early Twenty-first Century," Andrew Erickson and Lyle Goldstein transl., *Naval War College Review*, Vol. 56, No. 4 (Autumn 2006), pp. 66-67.

⁹¹ Chinese Academy of Sciences (hereafter CAS), *Nansha Qundao Ji Qi Linjin Haiqu Zonghe Diaocha Yanjiu Baogao (Research Report on Comprehensive Survey of the Spratly Islands and Nearby Maritime Areas)*, (Beijing: Kexue Chubanshe, 1989).

⁹² Zhang, *Nansha Qundao Dashiji*, pp. 114, 120-121.

of Agriculture and Fisheries began organizing fishing boats to commence the “revival of production in the Spratlys.”⁹³

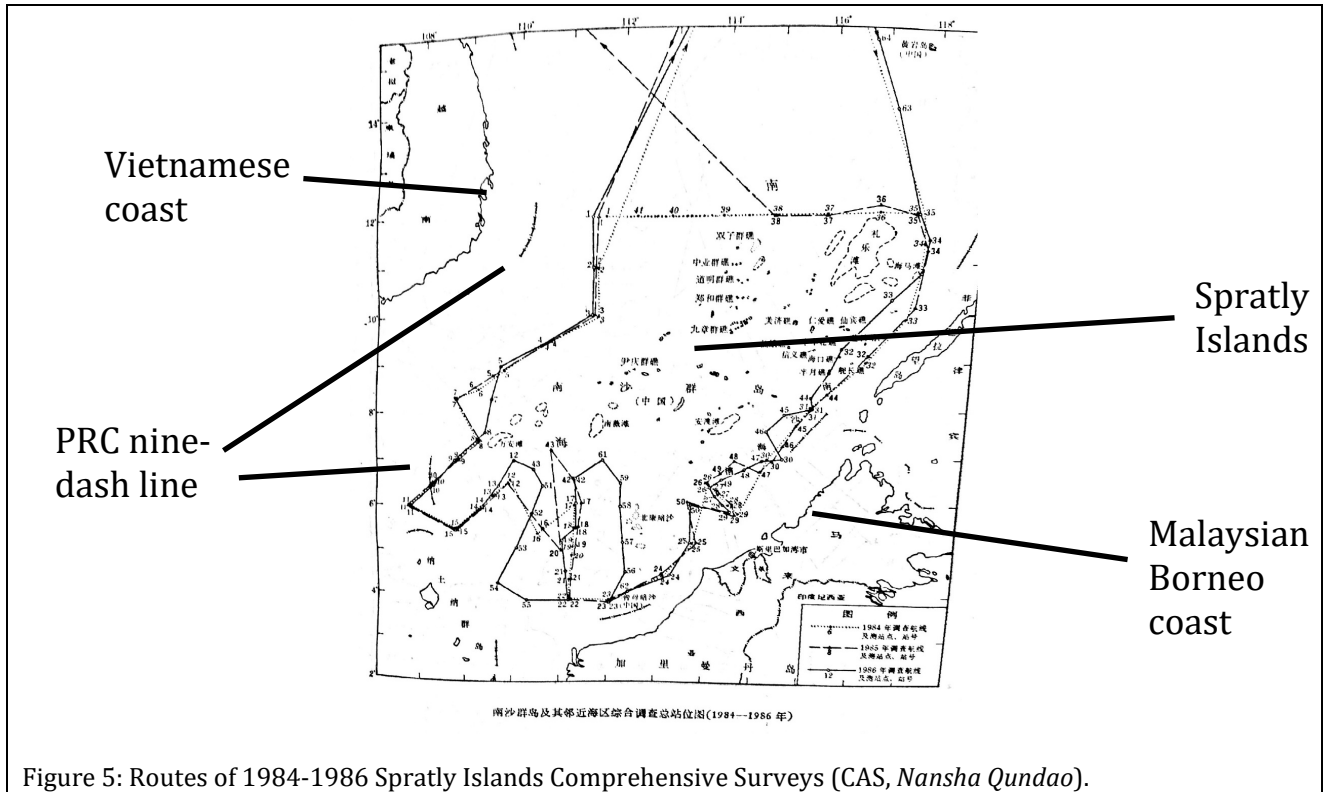


Figure 5: Routes of 1984-1986 Spratly Islands Comprehensive Surveys (CAS, *Nansha Qundao*).

Domestic drivers again appear comparatively weak in explaining China’s 1987 policy shift. In another echo of 1974, the CCP top leadership may not have ordered the attack on Vietnamese forces in March 1988: the PLA Navy captain reportedly opened fire on the Vietnamese troops without authorization.⁹⁴ However, the central authorities in Beijing *did* authorize the major assertive actions at this time that led to conflict, including the seizure of six disputed reefs. As recounted by PLA Navy Commander Liu in his memoirs, the large research missions, live-fire naval exercises, and the seizure and occupation of six reefs were all carefully discussed and agreed upon by the top civilian leaders in Zhongnanhai.⁹⁵

Zhao Ziyang, who took over as CCP General Secretary in 1987, was intimately involved in the plan to establish a foothold in the Spratlys, according to Admiral Liu. However, it is unlikely

⁹³ Guo Jinfu, “Nansha yuye ziyuan de baohu he heli kaifa (Protection and Rational Development of Spratly Fisheries Resources),” speech at inaugural Symposium on Spratly Comprehensive Scientific Surveys, Chinese Academy of Sciences, January 1988, in *Nansha Wenti Lunwen Ziliao Huibian (Compendium of Essays and Materials on the Spratly Issue)*, (Beijing: Haijun Junshi Xueshu Yanjiusuo, 1988), pp. 298-303; SOA, *Zhongguo Haiyang Nianjian 1994-1996* (Beijing: Haiyang Chubanshe, 1997), p. 45.

⁹⁴ Fravel, *Strong Borders*, p. 296.

⁹⁵ See Liu Huaqing, *Liu Huaqing Huiyilu (Recorded Memories of Liu Huaqing)*, (Beijing: Jiefangjun Chubanshe, 2007), pp. 535-539.

another CCP leader would have acted significantly differently. Zhao's predecessor, Hu Yaobang, had personally visited the Paracel Islands in December 1985, where he vowed to "not permit anyone to seize even one inch of our great country's land."⁹⁶ The ultimate authorization for the Spratly step-up came from Deng Xiaoping, who had firmly established his paramount political authority at the end of the 1970s.⁹⁷

Drawing on official histories of the PLAN, Garver has argued bureaucratic politics were a significant driver of South China Sea policy in the 1980s. Highlighting public statements by senior PLAN officers emphasizing the economic importance of the South China Sea's resources, Garver argues the PLAN lobbied successfully to end a lull in China's Spratly advance in the mid-1980s by reframing its own strategic interests with reference to the state's new interest in economic development.⁹⁸ But as we have seen, preparatory work for a move to the Spratlys was ongoing throughout the decade, as evident in the CAS and the SOA both expanding their comprehensive survey programs, the high-level decision to restart state-sponsored fishing, and the State Council's approval of a new standardized list of the names of specific PRC-claimed features there. Moreover, as noted earlier, the recognition of broad economic interests in the South China Sea had already begun to form among diverse bureaucratic actors through the UNCLOS negotiation process from 1973. In framing the PRC's South China Sea interests as economic as well as strategic, Admiral Liu and the PLAN were probably pushing on an open door.

A diversionary motivation also appears unlikely. Macroeconomic indicators were generally positive throughout 1987 (see Figure 4). While China's new policy of expansion into the Spratly archipelago followed after turbulent student demonstrations over the winter of 1986-1987, this paled in comparison with the legitimacy crisis the CCP faced in 1989. Here, once again, rather than leading to foreign policy aggression, the student-led protests in Tiananmen Square and their violent suppression in June 1989 coincided with an abrupt end to the PRC's assertiveness in the South China Sea.

1992: filling a vacuum?

After two quiet years in the wake of the Tiananmen crackdown, China resumed its advances in the South China Sea in early 1992. The year began with a major inspection trip in January by Hainan Province officials and PLA officers, who left behind sovereignty markers on seven features in the northern part of the Spratlys. The next month, Beijing promulgated its *Law on the Territorial Sea and Contiguous Zone*, inscribing the claim to the disputed islands in domestic law for the first time, and implicitly authorizing the use of force to evict intruders.⁹⁹ In May 1992, Beijing awarded an oil concession to a little-known US energy firm, Crestone, covering 25,000 square kilometers in the Vanguard Bank. This led to on-water standoffs when the

⁹⁶ Fravel, *Strong Borders*, p. 292.

⁹⁷ Liu Huaqing, *Huiyilu*, p. 539.

⁹⁸ Garver, "China's Push," pp. 999, 1022.

⁹⁹ Article 6 of the 1992 *Territorial Sea Law* also inscribed the PRC's demand for foreign navies to obtain permission for "innocent passage" through its territorial seas, thus hardening the PRC's position in its conflict with the United States over this issue.

exploration operations began two years later, with PLA Navy warships blockading a Vietnamese oil rig in the area.

In 1993 the CAS “comprehensive survey” voyages in the Spratlys restarted after a two-year hiatus, and Vietnam repeatedly protested unilateral PRC energy surveys in the Gulf of Tonkin. Jiang Zemin made the first visit by a CCP General Secretary to a disputed island since 1985 — and still the most recent — when he toured the Paracels in April 1993. There were upgrades to the six Spratly outposts, creating a new and much larger generation of concrete “reef forts” (*jiobao*) to replace the spartan “huts-on-stilts” (*gaojiaowu*) built in 1988, as well as a large new concrete sovereignty marker at Scarborough Shoal. In 1994, the Philippines and Vietnam protested increased Chinese fishing activities in the disputed area in the wake of a major PRC survey of aquatic resources.¹⁰⁰

The surge culminated in the seizure and occupation of Mischief Reef in late 1994. This was the PRC's first use of force in the eastern part of the Spratly archipelago, loosely controlled by the Philippines, a US treaty ally. Mischief Reef remains China's most recent occupation of any disputed feature in the South China Sea. Although originally implemented by stealth, via the construction of a fisheries base, the move quickly led to confrontation in May 1995, when Chinese vessels blocked a Philippine ship attempting to bring journalists to observe the situation at Mischief Reef.¹⁰¹ Following unprecedented public statements of concern from both ASEAN and the US, China's behavior once again reverted to a pattern of steady, low-profile advancement. Once again, however, many new lines of assertive action had been added over the preceding three years, leaving the PRC's overall policy much more assertive than ever before.

The series of moves from 1992 closely followed the collapse of the Soviet Union and the US military drawdown in East Asia — developments that created a perception of a “power vacuum” among many regional officials.¹⁰² This concern was so widespread that Chinese Foreign Minister Qian Qichen explicitly stated in a 1992 meeting with ASEAN ministers: “It is not necessary for any country to fill up this so-called vacuum.” This continued the pattern of PRC surges in the South China Sea preceded by favorable changes in China's relative power in its region. It also continued the hardening of the PRC's policy at key moments in the development of the law of the sea regime. In particular, the February 1992 passage of the PRC's *Territorial Sea Law*, which received strong support from the PLA Navy, in anticipation of the coming into effect of the UNCLOS in 1994.¹⁰³

Energy resources were more plausibly a direct contributor to the PRC's assertive surge from 1992 than in 1973 or 1987, though the evidence is not conclusive. In the 1980s, the PRC's growing energy demands had largely been met through ramped-up domestic onshore production, but by 1991 production growth had flattened while consumption continued to soar (Figure 6). Within two years the PRC had become a net importer of oil for the first time since

¹⁰⁰ For sources on specific activities, see the data file.

¹⁰¹ Xia Zongwan, “90 niandai Zhongguo shoufu Meiji Jiao quan jilu (A full record of China's repossession of Mischief Reef in the 1990s),” *iFeng*, March 10, 2008, available at: https://news.ifeng.com/mil/200803/0310_235_434187.shtml

¹⁰² Victor Mallet, “Spratly dispute overshadows ASEAN meeting,” *Financial Times*, July 22, 1992, p. 4, via Factiva.

¹⁰³ Naval Command, “Guanyu ‘Nansha Qundao wenti,’” p. 15.

the 1950s.¹⁰⁴ The events data provide circumstantial support for this contention: more than one-third of the newly assertive Chinese actions identified between 1992 and 1994 concerned energy resources, compared to around 10 percent in earlier surge periods.¹⁰⁵ Yet the energy thesis is undermined by the fact that the PRC's behavior moderated from 1995 onwards, while its dependence on energy imports rapidly worsened. It is possible that the looming threat of energy insecurity contributed to the push for the resources from 1992, but in the years that followed the PRC found unilateral energy development bids in the South China Sea to be riskier than dependence on the global market.

The occupation of Mischief Reef has been widely understood as an example of assertive policy driven by lower-level bureaucratic actors rather than the central party-state. However, first-hand PRC documentary sources now largely disconfirm this explanation. After Philippine authorities discovered the PRC's new outpost, China's embassy in Manila stated the action had been initiated by "low-level functionaries acting without the knowledge and consent of the Chinese government," and allegedly to the surprise of Politburo Standing Committee Members.¹⁰⁶ But according to the recollections of Liu Guojun, a PRC Fisheries official tasked with organizing the operation, the decision was taken at the Ministerial level or above.¹⁰⁷ The Fisheries Administration's construction effort at Mischief Reef was assisted by a multi-agency civilian scientific and technical team aboard the SOA's *Xiangyanghong-14* research vessel.¹⁰⁸ This cross-departmental collaboration also suggests the operation was coordinated at a high level within the civilian system.

¹⁰⁴ Lee, "China's Petroleum Trade," p. 187.

¹⁰⁵ See Appendix.

¹⁰⁶ Fravel, *Strong Borders*, pp. 296-298.

¹⁰⁷ Liu, then-Director of the South Sea Regional Fisheries Bureau, recalls receiving a top-secret directive to establish the base on Mischief Reef in August 1994. After travelling to Beijing for further instructions he was informed by two Vice Ministers of Agriculture, Zhuo Youzhan and Zhang Yanxi, that "the higher levels" (*shangji*) had decided to establish a presence there. Yi, Yao and Chen, "Zhongguo Yuzheng shouming."

¹⁰⁸ Xia, "90 niandai."

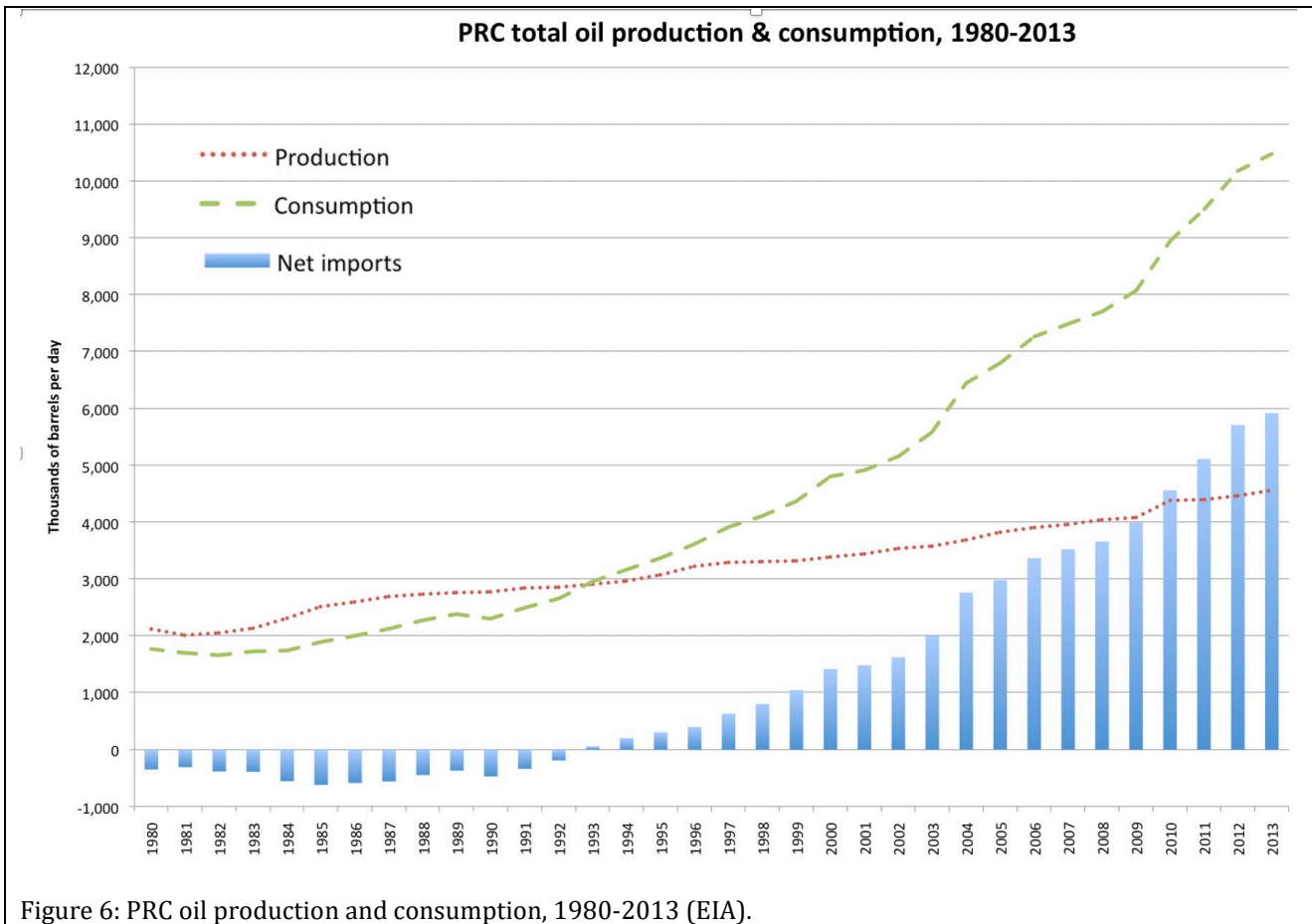


Figure 6: PRC oil production and consumption, 1980-2013 (EIA).

The assertive surge from 1992 coincided with important domestic political developments in China, but the possible role of individual leaders remains difficult to evaluate. It was in January 1992 that Deng Xiaoping conspicuously reasserted his political authority, primarily in relation to economic policy, via his “Southern Tour.” The presence of longtime PLAN Commander Liu Huaqing on the Politburo Standing Committee from 1992 to 1997 also could have tilted policy in favor of greater South China Sea assertiveness. Jiang Zemin’s most clear-cut period of ascendancy, from the mid-1990s, and particularly following Deng’s death in 1997, did coincide with the period of moderation in the South China Sea, raising the possibility that he personally may have favored a moderate approach there. However, confirmatory evidence is lacking.

As in earlier decades, domestic legitimacy challenges once again showed a strong *negative* correlation with PRC assertiveness in the South China Sea. Economic growth slumped to around 4 percent in 1990, China’s most recent year with no identifiable intensified assertive actions in the South China Sea (Figure 4). A rebound in GDP growth from 1991 preceded another surge in the South China Sea the following year, while the next downward turn, during the Asian Financial Crisis of 1997-1998, coincided with relatively low levels of new PRC assertiveness. This pattern could be explained by domestic security challenges drawing state resources and

attention away from territorial disputes, while increasing the incentive to seek external cooperation.¹⁰⁹

The CCP's launched a wide-ranging "patriotic education" program aimed at stabilizing the party's popular ideological legitimacy in the wake of the Tiananmen protests. These campaigns, together with the emergence of raucously jingoistic semi-commercial media sector, and more recently online forums enabling PRC citizens to directly share views on political issues, has fueled speculation that popular nationalist sentiments could push the PRC into foreign policy adventurism. If this was so, we should expect to find evidence of increasingly confrontational stances from the mid-1990s onwards when patriotic education began to take effect across society.¹¹⁰ Yet the observed pattern is the opposite.

Likewise, if media commercialization's fuelling of such sentiments has been important, then we should have seen assertiveness rising from the mid-1990s, with the emergence of this trend in Chinese commercial publishing.¹¹¹ If the Internet enabled nationalist pressure to influence the leadership's policy, assertive changes should be apparent in the early 2000s, when online technologies were rolled out on a mass scale.¹¹² But here too, the observed patterns in the South China Sea are contrary to these expectations: China's assertiveness slowed from 1995 onwards, remained relatively low, even through the economic challenges associated with the Asian Financial Crisis in the second half of the decade, and did not increase again until seven years into the 2000s. If popular nationalism did rise in the PRC through the 1990s and early 2000s, as widely believed, it could not have been a significant factor in China's policy in the South China Sea at that time.¹¹³

2007: realizing the nine-dash line

China's most recent policy shift in the South China Sea has comprised two key components: a rapid and continuous buildup of state presence, and the introduction of regular coercive actions, across the nine-dash line area. The first component of this change involved rapidly expanding patrol activity by PRC maritime law enforcement fleets, particularly between 2007 and 2013.¹¹⁴ This was followed from late 2013 by the large-scale artificial island construction

¹⁰⁹ Erica Strecker Downs and Phillip C. Saunders, "Legitimacy and the Limits of Nationalism," *International Security*, Vol. 23, No. 3 (Winter 1998/99), pp. 114-146.

¹¹⁰ Zheng Wang, *Never Forget National Humiliation: Historical Memory in Chinese Politics and International Relations*, (New York: Columbia University Press, 2012), pp. 103-107.

¹¹¹ Yu Huang and Chin-Chuan Lee, "Peddling Party Ideology For A Profit: Media and the Rise of Chinese Nationalism in the 1990s," in Gary Rawnsley and Ming-yeh T. Rawnsley (eds.), *Political Communication in Greater China* (New York: Routledge, 2003), pp. 41-62.

¹¹² China had 9 million internet users by the end of 1999, and 80 million by 2003, according to statistics from the state-run China Internet Network Information Center (CNNIC).

¹¹³ For a thoroughgoing assessment of the prevalence of nationalism in Beijing over the past two decades, see Alastair Iain Johnston, "Is Chinese nationalism rising? Evidence From Beijing," *International Security*, Vol. 41, No. 3 (2017), pp. 7-43.

¹¹⁴ Martinson, *Echelon Defense*; Andrew Chubb, "Assessing Public Opinion's Influence on Foreign Policy: The Case of China's Assertive Maritime Behavior," *Asian Security*, Vol. 15, No. 2 (2019), pp. 159-179 (164-166).

project in the Spratly Islands, which upgraded the PRC's "reef fort" outposts into vast new areas of mid-ocean land that dwarf the naturally formed islands of the archipelago.¹¹⁵ The seven new islands have since been equipped with anti-ship missiles, climate-controlled hangars for fighter jets, extensive radar facilities, and long runways capable of landing both bombers and large civilian aircraft. They have also facilitated further, and more sustained, increases in ship deployments.

The second key change, the introduction of regular coercive actions, initially targeted Vietnamese geological survey operations, threatened foreign corporations involved in oil and gas projects within the nine-dash line, and coercively implemented new PRC unilateral resource survey operations near the Paracel Islands by ramming Vietnamese ships attempting to interfere with the operation. This greater willingness to use coercion at sea produced confrontations with the US in 2009, Indonesia in 2010 and the Philippines in 2011, culminating in the seizure of Scarborough Shoal in 2012.¹¹⁶ The PRC's regular use of coercive methods has continued across subsequent years, with 2-3 new cases observed each year.

The growth of China's relative military and economic power in its region was a necessary condition the PRC's behavioral shift from 2007, but the timing cannot be explained in hard power terms alone. China's naval superiority over its Southeast Asian rivals was well established by the turn of the century. Already the largest navy in East Asia, the PLAN's modernization had been underway since the early-to-mid 1990s, while Southeast Asian defense budgets had been crimped following the 1997-1998 Asian Financial Crisis.¹¹⁷ Meanwhile, the diversion of US resources and attention to the Middle East from 2001, and US-China cooperation in the Global War on Terror, further reduced the likelihood of US military intervention in the South China Sea. If Beijing's new assertive regional maritime policy was based primarily on material power calculations, its behavior should have shifted several years before 2007.

The clearest positive development for China's material power in the region around this time was the Global Financial Crisis (GFC), which weakened and distracted the US. But the change in China's behavior in the South China Sea was not related to the GFC, the scale of which only became apparent through the second half of 2008. If Beijing saw the weakening of American power as an opportunity to make gains in the South China Sea, that assessment at most entrenched a change in PRC policy that was already underway.

The roots of China's shift trace back more than 10 years earlier, to when the PRC wrote its sweeping claims to state jurisdiction at sea into its domestic law for the first time. After ratifying the UNCLOS in 1996, authorities began drafting a suite of new legislation to enshrine China's claims in domestic law. The most important was the PRC's 1998 *Law on the Exclusive Economic Zone and Continental Shelf*, which formalized China's UNCLOS-derived claims to maritime

¹¹⁵ See the Asia Maritime Transparency Initiative's "Island Tracker," available at: <https://amti.csis.org/island-tracker>.

¹¹⁶ For in-depth case studies of these incidents, see: Green et al., *Countering Coercion*; Zhang, "Cautious Bully," 145-157; and Chubb, *Chinese Nationalism and the "Gray Zone"*.

¹¹⁷ Bernard D. Cole, "The PLA Navy and 'Active Defense,'" in Stephen J. Flanagan and Michael E. Marti eds., *The People's Liberation Army and China in Transition* (Washington, D.C., National Defense University Press, 2002), pp. 129-138.

jurisdiction, while also reserving unspecified “historic rights” (*lishixing quanyi*) beyond those allowed under the Convention. The State Council assigned the SOA responsibility for “upholding maritime rights and interests in accordance with the law,” and in January 1999, the agency established China Marine Surveillance (CMS), a new “integrated central-regional administrative law enforcement force” tasked with patrolling the PRC’s claimed jurisdictional waters.¹¹⁸ In March 2000, General Secretary Jiang Zemin declared building China into a “maritime great power” to be an “important historic task.”¹¹⁹

The most directly consequential decision behind China’s 2007 policy shift was the State Council’s allocation of ¥1.6 billion to equip the new CMS fleet with 13 large new ocean-going patrol vessels in October 2000.¹²⁰ The project took several years to bear fruit, but once delivered, the high-endurance cutters provided PRC maritime law enforcement the capability to stay at sea for the prolonged periods across the vast expanses of China’s claimed waters. The first ship was delivered in late 2004, and six more followed in 2005. The new agency proceeded with caution as it still needed to master the logistics of sustaining ships at sea for up to 40 days in remote, disputed sea areas. In 2006, with authorization from the State Council, CMS launched its first regular “maritime rights defense” patrol program in disputed waters, beginning in the geographically smaller and politically simpler East China Sea.¹²¹ Finally, in early 2007 this was expanded into the South China Sea, and the new force began conducting coercive “special operations” there the same year. This established the key features of the PRC’s policy that have prevailed since: the steady buildup of state administrative presence, and its more frequent use in coercive operations.

Compared to 1987 and 1992, the post-2007 shift offers more convincing evidence of declining local claim strength as a driving factor. Beginning in 2004, Vietnam had undertaken new energy development projects with numerous third-country energy companies in the productive Nam Con Son Basin, a part of Vietnam’s continental shelf but within the nine-dash line. This negative development for the PRC had been mitigated by the signing of a tripartite joint exploration agreement with the Philippines and Vietnam, which held out the prospect of access to the energy resources in the promising Reed Bank area. But by 2007 the trilateral deal was in trouble, with the Department of Foreign Affairs in Manila opposing its implementation amid claims from opposition politicians that it would contravene the Philippines constitution.¹²²

PRC party-state sources highlight a series of other negative developments, including a rise in Vietnamese fishing in the Paracel Islands, and increased detentions of PRC fishers in the

¹¹⁸ SOA, “Dashiji: 1998”; Xu Zhiliang, “‘Zhongguo Haijian’ – haiyang de ‘tejingdui’ (‘China Marine Surveillance’ – A ‘Special Police Unit’ For the Oceans),” *Zhongguo Haiyang Bao (China Ocean News)*, No. 914, May 9, 2000, <http://www.soa.gov.cn/zfjc/914.htm> via Archive.org.

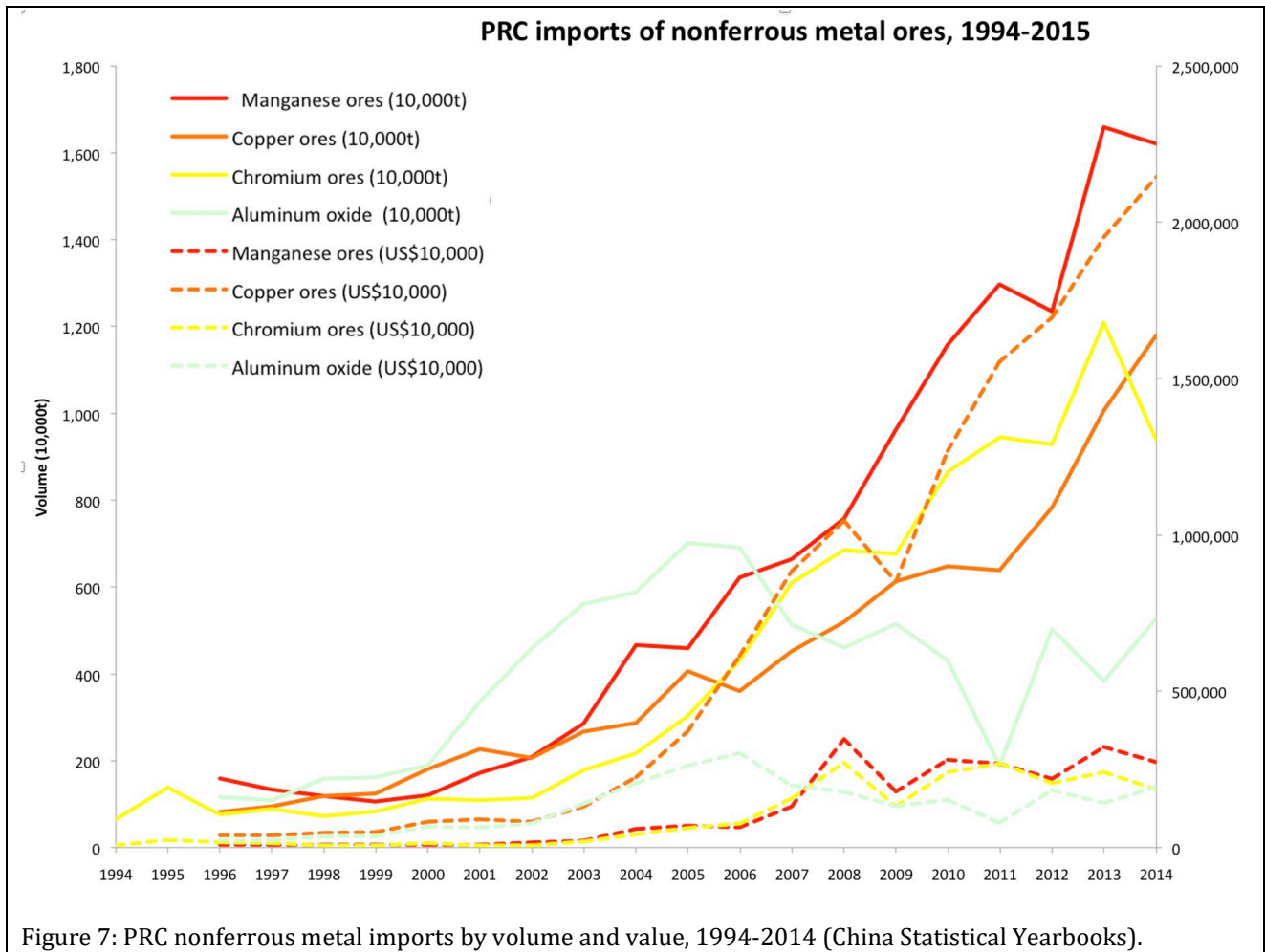
¹¹⁹ Zhang Dengyi, “Guanhao yonghao haiyang, jianshe haiyang qianguo (Properly Manage and Use the Oceans, Build a Maritime Great Power),” *Qiushi (Seeking Truth)*, No. 11, 2001, p. 46.

¹²⁰ Su Tao, “Zhongguo Haijian xinxing chuanbo, feiji jianzao ceji (Profiling CMS’s New Vessel and Aircraft Construction),” *Zhongguo Haiyang Bao (China Ocean News)*, December 17, 2007. The two-stage project was personally approved by Premier Zhu Rongji and Vice-Premier Wen Jiabao.

¹²¹ SOA, *Zhongguo Haiyang Nianjian 2007*, p. 173.

¹²² Hayton, *The South China Sea*, p. 135.

Spratlys.¹²³ One internal advisory report described the consolidation of other claimants' positions as a challenge to "the stability of the South China Sea situation," recommending the PRC increase patrols and strengthen law enforcement in disputed areas in order to "maintain the dispute and highlight presence."¹²⁴ Such analysis suggests Beijing may have perceived its position in the South China Sea dispute to be seriously weakening by 2007, following a decade of relative moderation.



There is evidence both for and against the South China Sea's resources as a motivation. Between 2003 and 2006, the value of China's energy imports more than trebled, and similar increases are apparent in the value of some of the key nonferrous metals routinely alluded to in PRC

¹²³ NISCSS, *2006 Nian Nanhai Xingshi*, pp. 25-26; NISCSS, *2007 Nian Nanhai Xingshi*, p. 37; Fisheries Administration, *Zhongguo Yuye Nianjian 2007*, pp. 146-148. Fravel suggests this may have been an unintended result of the implementation of the Sino-Vietnamese maritime border in the Gulf of Tonkin. Fravel, "China's Strategy in the South China Sea," p. 305.

¹²⁴ NISCSS, *2007 Nian Nanhai Xingshi*, p. 41.

party-state materials on the South China Sea's resources (Figure 7).¹²⁵ On the other hand, PRC oil imports also saw a similarly dramatic increase between 1998 and 2000, without producing a surge of assertiveness at sea. Two of the four cases of intensified PRC assertiveness in 2007 related directly to the area's oil and gas resources, while another was indirectly related. But both the oil price and the proportion of energy-related assertive behaviors quickly fell back in subsequent years, while China's assertiveness continued to increase. Energy security issues were the subject of intensive discussion in Chinese expert and policy circles in the mid-2000s. Yet the key poles of the debate have been between acceptance of China's dependence on global oil markets on one side, and mercantilist pursuit of oil at the source in third countries on the other, with little sign of serious advocacy for the disputed maritime periphery as a potential solution.¹²⁶ In the absence of materials on top-level leadership deliberations, this mixed evidence makes it difficult to evaluate the importance of resources as a contributing factor behind the observed changes in behavior.

The CCP's domestic circumstances around 2007 are also mixed, but several common explanations can be ruled out. GDP continued to grow rapidly, but so too did incidences of domestic unrest around this time.¹²⁷ Data compiled by Weiss also show a large rise in anti-foreign mobilizations in China between 2003 and 2005, though the number of cases was falling by 2006.¹²⁸ Once we consider the information provided to the Chinese public on the new assertive actions in 2007, however, the idea that the party-state was diverting domestic attention towards the South China Sea issue or pandering to popular nationalism can be largely disconfirmed. In no case did the party-state seek to promptly advertise its assertive actions to the public. One seminal incident — a CMS "special operation" against Vietnamese ships in mid-2007 — was only revealed for the first time in a state TV documentary more than six years later. Others have still never been discussed.¹²⁹ This shows the new patterns of behavior observed from 2007 were not aimed at diverting the public's attention with foreign policy assertiveness.

¹²⁵ World Bank statistics show an increase in the value of PRC fuel imports from US\$29.45b in 2003 to US\$89.57b in 2006. Chinese government figures for crude oil imports show a rise from US\$19.8b to \$66.4b over the same period.

¹²⁶ Zha Daojiong, "China's Energy Security: Domestic and International Issues," *Survival*, Vol. 48, No. 1 (2006), pp. 179-190; Andrew B. Kennedy, "China's New Energy-Security Debate," *Survival*, Vol. 52, No. 3 (2010), pp. 137-158; Jennifer Lind and Daryl G. Press, "Markets or Mercantilism: How China Secures its Energy Supplies," *International Security*, Vol. 42, No. 4 (Spring 2018), pp. 170-204.

¹²⁷ Yanqi Tong and Shaohua Lei, "Large-Scale Mass Incidents and Government Responses in China," *International Journal of China Studies*, Vol. 1, No. 2 (October 2010), p. 489.

¹²⁸ Weiss, *Powerful Patriots*, Appendix.

¹²⁹ As the Appendix indicates, the 2007 and 2008 incidents in the data set were uncovered not through contemporaneous media reports or official public statements by the PRC authorities, but rather through internal-circulation materials, maritime agency yearbooks, and US State Department cables.

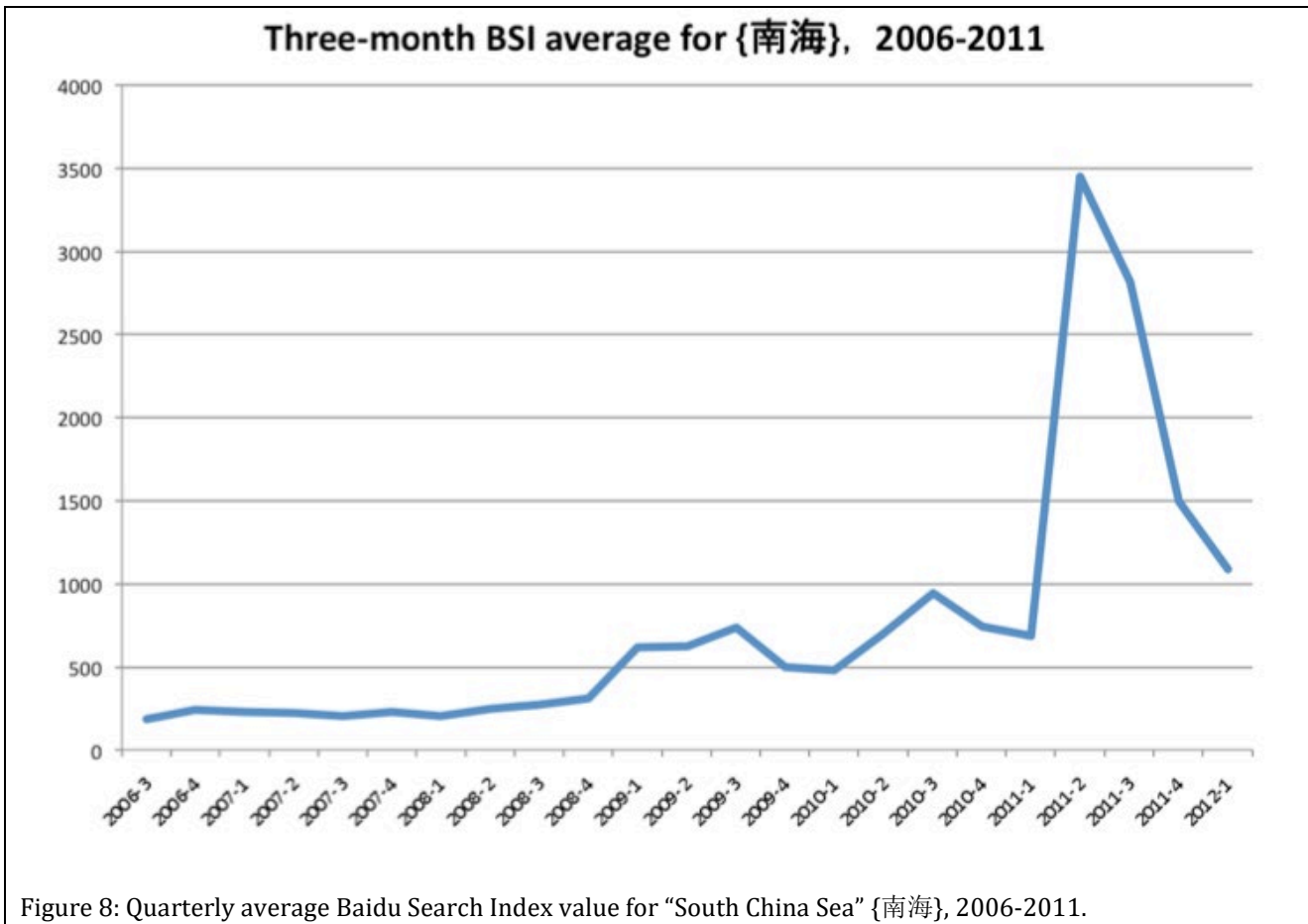


Figure 8: Quarterly average Baidu Search Index value for “South China Sea” {南海}, 2006-2011.

There is evidence of Chinese citizens’ attitudes towards South China Sea issue have hardened in recent years.¹³⁰ However, internet search activity data from Baidu, China’s dominant search engine, suggest this occurred after the policy change, not before. Figure 8 illustrates the online public’s demand for information on the South China Sea began increase gradually from 2009 onwards, finally becoming a prominent issue on the online nationalist agenda in mid-2011. Like the GFC from late 2008 onwards, whatever incentive for tougher policies this uptick in jingoism may have generated, it could at most have exacerbated or entrenched a pattern of behavior that was already in place. Indeed, rather than nationalistic rancor driving PRC maritime dispute behavior, the data are at least equally suggestive of the reverse: the new assertiveness, and the ensuing increase in international tensions and incidents, may have drawn nationalist attention towards the issue.¹³¹

The looming 17th CCP Congress held in October 2007 opened up top leadership positions, potentially creating extra incentives for ambitious officials to advocate tough foreign policy stances. Yet, few signs of divisions at the apex of CCP politics over foreign policy were apparent,

¹³⁰ Zheng Wang, “Chinese Discourse on the “Nine-Dashed Line”: Rights, Interests, and Nationalism,” *Asian Survey*, Vol. 55, No. 3 (2015), pp. 502-524; Chubb, *Chinese Popular Nationalism*, pp. 181-248. For a challenge to the prevailing narrative of a general rise in Chinese nationalism see Johnston, “Is Chinese nationalism rising?”

¹³¹ Andrew Chubb, “The Rise of South China Sea Nationalism in China,” working paper, April 18, 2018.

especially when compared with the tumultuous 2012 transition. Analysts describe the 2007 congress as producing a sclerotic system of rule by consensus.¹³² This delicate balance disintegrated in the months leading up to the 18th CCP Congress in 2012, when the spectacular political meltdown of Politburo member Bo Xilai triggered months of indecision over his fate. This raises the possibility that heightened elite political competition could help explain China's abnormally high assertiveness in 2012, when an unprecedented (and so far unrepeated) nine cases of assertive behavioral change were identified. But, as shown above, the PRC's quantitatively more assertive and qualitatively more coercive approach had already been observable for five years by that time, so the elite turmoil of 2012 at most temporarily aggravated an existing trend. There is also little if any outward sign that the South China Sea was an issue over which internal political struggles were fought around this time.¹³³

The protracted duration of China's post-2007 assertive policy is strong evidence that it has been in basic accord with the central leadership's intentions, and not the result of overzealous sub-state units acting beyond their remit. However, the historical events data tell us little about the possible role of sub-state bureaucracies, the military, or other vested interest groups in shaping the central leadership's views of its policy interests.¹³⁴ Admiral Liu Huaqing's legacy has strongly associated the PLA Navy with South China Sea policy advocacy, but more recently Hainan Province has emerged as an effective proponent of tourism and fishing in disputed areas.¹³⁵ However, policies commonly associated with sub-state lobbying — such as tourist cruises and the establishment of Sansha City as an administrative unit covering the disputed area — only began to receive approval well after the assertive policy shift.¹³⁶ The new assertive actions that occurred in 2007-2008, by contrast, were clearly in line with a central policy guideline mandating “the unity of maritime rights defense and stability maintenance,” that is, advancing China's claims to the extent that it would not trigger instability.¹³⁷ High-level programmatic documents released around this time also suggest the overall policy direction was a matter of broad consensus.¹³⁸

The leadership transition from Jiang Zemin to Hu Jintao had been formally complete for more than two years by the time China's behavior shifted. Hu's personal authority also received a

¹³² Alice Miller, ‘The Politburo Standing Committee Under Hu Jintao,’ *China Leadership Monitor*, No.35 (Summer 2011).

¹³³ Baidu News archive searches show no record of either Bo Xilai or Zhou Yongkang commenting publicly on the issue at least since 2005.

¹³⁴ Garver, “China's push,” p. 1020; Whiting, “Chinese Nationalism,” p. 316.

¹³⁵ Wong, “More than Peripheral,” pp. 744-752.

¹³⁶ The most prominent case associated with lobbying by Hainan Province and the National Tourism Administration was the establishment of Sansha City, a municipal-level administrative entity covering the disputed island groups, in late 2007. However, this plan was paused by the central government and not implemented until June 2012, when Beijing used it to retaliate against Vietnam's passage of a new maritime law. Rather than illustrating the influence of sub-state lobbying, then, the case appears to show lobbying producing assertiveness only when it accorded with the central leadership's foreign policy intentions.

¹³⁷ NISCSS, *2007 Nian Nanhai Xingshi*, pp. 38-39; SOA, *Zhongguo Haiyang Nianjian 2009*, pp. 14, 18-19; Liu Cigui, “Qianghua dui haiyang shiwu de guanli yu chuangxin (Strengthen Management and Innovation in Maritime Affairs),” SOA, March 29, 2011, available at: https://www.gov.cn/gzdt/2011-03/29/content_1833868.htm

¹³⁸ E.g. the “Planning Outline for the Development of National Maritime Activities” issued by the State Council in February 2008. SOA, *Zhongguo Haiyang Nianjian 2009*, pp. 8-11.

boost in 2007 as his signature “Scientific Outlook on Development” was written into the Party’s constitution. This, and Hu’s elevation of the strategic goal of building China into a “maritime great power” circumstantially supports the conjecture that the assertive switch in the South China Sea may have reflected Hu’s policy preferences, as distinct from Jiang’s — though as noted above, Jiang made a landmark statement elevating the goal of a “maritime great power.” Together with the timing of China’s assertive surge, this evidence calls into question the conjecture that China’s maritime assertiveness resulted from a dovish Hu’s *lack* of authority.

The current CCP General Secretary Xi Jinping formally took control of the party and military in November 2012. Xi’s heir-apparent status was confirmed with his elevation to CMC Vice Chairman in 2010, but this was still more than three years after the PRC’s push in the South China Sea began, with Xi still a provincial-level party secretary at that time. The PRC’s behavior since Xi took charge has shown significant continuities with the Hu-Wen era, with the most conspicuous assertive moves — such as the large-scale artificial island-building campaign in the Spratlys — attributable to the greater state capabilities available to Xi compared with his predecessors.¹³⁹ As indicated above, central policy guidelines mandating greater assertiveness predated Xi’s ascent by 4-5 years; his predecessors Jiang and Hu initiated and then elevated the strategic directive of building a “maritime great power”; the capacity building projects that enabled the new patterns of behavior from 2007 were in motion by the end of the 1990s; and the broad goal of extending state jurisdiction across the South China Sea’s wide expanses of maritime space emerged in the 1970s and 1980s. This leaves little reason to believe a different CCP leader would have pursued a significantly less assertive policy than Xi.

Conclusion

While China’s behavior in the South China Sea has been a central influence on security in East Asia in recent decades, the absence of a systematic method to measure change in states’ maritime behavior has impeded identification of the nature, timing, and causes of change in PRC policy. This article began by developing an original typology to capture important variations in states’ behavior in maritime and territorial disputes. Operationalizing this conceptual framework with original data on China’s behavior in the South China Sea since 1970, together with focused qualitative analysis guided by the patterns revealed in the data, yielded several policy relevant findings.

First, the PRC’s assertiveness in the South China Sea has intensified in some form almost every year since 1970, and every year since 1990. True to its own rhetorical claims, Beijing’s intent to prosecute its claims there has been longstanding and relatively continuous over nearly five decades. Most new PRC behaviors have continued into subsequent years, in many cases establishing necessary conditions for future assertive activities. The origins of this strategic intent to exercise comprehensive jurisdiction over the South China Sea’s maritime spaces lie not in the rise of the PRC’s economic or military power. Instead, they lie in its interactions with — and internalization of — the emerging norm of “territorialization” of maritime space

¹³⁹ Andrew Chubb, “Xi Jinping and China’s Maritime Policy,” Brookings Institution, January 22, 2019, available at: <https://www.brookings.edu/articles/xi-jinping-and-chinas-maritime-policy>

associated with the negotiation and progressive implementation of the UNCLOS from the 1970s onwards.¹⁴⁰

Second, the pivotal recent change in the PRC's behavior in the South China Sea occurred in 2007, between two and five years earlier than most English-language analysis has assumed. This rules out the GFC (2008), rising nationalist sentiments on the issue (2009 and especially 2011 onwards), elevated CCP intra-elite contention over the 18th party conference (2011-2012), and the subsequent political ascendance of Xi Jinping (2012-present) as drivers of the PRC's maritime policy shift. These commonly cited factors at most exacerbated or further entrenched a policy change that was already underway.¹⁴¹

Third, and relatedly, the quantitative and qualitative evidence presented here demonstrate how considerable time lags can exist between major changes in state behavior and the decisions that set them in motion. The PRC's steady extension of state authority across a vast disputed maritime geography has depended on decades of cumulative groundwork constituted by earlier assertive actions. Its push to realize the goal of state jurisdiction across the nine-dash line area since 2007 resulted from long years of specialized research and organizational work, including capacity building programs initiated in the late 1990s. For foreign policy analysts, this indicates the value of looking beyond the proximate triggers of observed changes in state behavior, to consider the potentially temporally distant decisions that set foreign policy changes in motion.

For policymakers, these lagged effects indicate how the actions of their counterparts may have less to do with recent events or their own state's behavior or goals than it might otherwise appear. On one hand, this justifies skepticism regarding PRC claims that its assertiveness is a response to external provocations, such as when Beijing deployed anti-ship cruise missiles to the Spratly Islands in 2018, citing increased Freedom of Navigation Operations (FONOPs) by the US Navy. But it also suggests analysts and officials should be cautious in attributing assertive behaviors to other-directed motivations like undermining their deterrent credibility, weakening alliances or sowing dissension. What might appear — or feel — like a targeted move may in fact be more simply another confident move towards realizing a stated long-term goal. This explanation is not only simpler, it is also more consequential.

Focused case study analysis of breakpoints in the PRC's behavior showed how, within the overall trend of steadily increasing assertiveness over time, China's surges in the South China Sea in the 1970s, 1980s and 1990s were significantly opportunistic, implying responsiveness to external incentives. However, the protracted advance since 2007 appears to have had much less to do with outside developments than the earlier surges in PRC assertiveness. Methodical and sustained through multiple leadership transitions, the PRC's administrative buildup and use of coercion has become an entrenched policy status quo. This suggests, paradoxically, how path dependence may produce altered behaviors, contrary to the assumptions of standard

¹⁴⁰ See Bernard Oxman, "Territorial Temptation: A Siren Song at Sea," *American Journal of International Law*, Vol. 100, No. 4 (2006), pp. 830-851.

¹⁴¹ Preliminary data collection for the post-2016 period points to a continuation of the 2007-2015 pattern, with 5-7 strong candidate cases for new lines of assertive activity for each year, 2-3 of which fit the coercive category.

models of foreign policy change, which emphasize inertia as a stabilizing force.¹⁴² It also means that “deterrence” of new PRC assertive actions may actually be better understood as the more difficult task of compellence.

Analysis of both quantitative and qualitative data provides strong evidence that the PRC's assertive maritime surges have not, so far, resulted from diversionary ploys designed to alleviate legitimacy problems of the Chinese Communist Party. On the contrary, previous periods of acute internal strife in China have resulted in temporary moderation of the assertive maritime advances, as CCP leaders have focused attention and resources on consolidating their internal position and seeking international cooperation, especially from neighboring countries. Amidst the global uncertainties over the increasingly antagonistic China-US relationship, which the COVID-19 pandemic and trade conflicts continue to compound, and the associated prospect of a major economic downturn within and beyond the PRC's borders, the data offer one small cause for qualified optimism regarding future stability in East Asia.

¹⁴² E.g. Kjell Goldmann, *Change and Stability in Foreign Policy* (Princeton: Princeton UP, 1988); Welch, *Painful Choices*.