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# How Chinese Identity Shapes Beijing's Policy in the South China Sea Disputes

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# How does Identity shape China's foreign policy choices in the South China Sea?

## Introduction

Over 5 trillion dollars of global trade pass through the South China Sea every year, making it an extremely important region for functioning of the global economy, and thus international stability and security. The People's Republic of China, Malaysia, Brunei, Vietnam, The Philippines, and Taiwan all border this key body of water and are maritime neighbours with competing claims to various land features. These competing claims have recently been the focus of growing international attention and concern due mostly to the land reclamation being carried out by China in the Spratly islands and the subsequent construction of facilities which may have military use.<sup>1</sup> While China is not the only state reclaiming land in the sea, it has gone the farthest in attempting to substantiate its claims, causing international alarm as a result. This concern comes not only from states in the region with direct claims but also from a number of European countries, the United States, and more recently Japan, who worry that the militarization of the South China Sea would create a dangerous flashpoint with a rising China. The United States and some of its partners have also expressed concern with what they see as a threat to 'Freedom of Navigation' within the South China Sea, which would undoubtedly have far reaching global repercussions for global trade, as well as international security and stability. However, among the different disputes and disputants, the one between China and The Philippines poses the biggest risk of escalation. This dispute stems over the sovereignty of Scarborough Shoal and several other features in the Spratlys. Although, the dispute dates back several decades, it did not become a salient issue until the mid-1990s when it was internationalised. Since, there have been several instances which saw tensions rise dangerously high, the most recent being the result of the July 2016 ruling from the arbitral tribunal in The Hague regarding the dispute. The current situation as it stands has led several experts and think tanks to the conclusion that 'The risk of conflict in the South China Sea is significant'<sup>2</sup>, making it extremely important to understand the positions of China, the US and the Philippines on the current disputes to ensure that the probability of conflict is reduced as much as possible. The US position is important given its policy in the SCS as well as the fact

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<sup>1</sup> P. Jeremy, L. E. Carol, L. Gordon, 'China's President Pledges No Militarization in Disputed Islands.' ( Wall Street Journal, 25 Sept. 2015. Web. 01 Apr. 2016.)

<sup>2</sup> Glaser, Bonnie Bonnie. "Armed Clash in the South China Sea." *Contingency Planning Memorandum No. 14* (2012): n. pag. Apr. 2012. Web. 27 Sept. 2016. P.1

that it is a treaty ally of The Philippines. While the current US position is currently portrayed as one based on The United Nations Convention on the Law of the Sea (UNCLOS), which supports freedom of navigation and a normative based order, China's claims and ultimate goals within the region are less well understood. China claims that the South China Seas has been 'Chinese territory since ancient times'<sup>3</sup> and sees it as a sovereignty issue, expressly rejecting claims that any of its actions are expansionary. With such divergent views on the issue it is crucial to understand both sides' arguments, and while the position of the United States may seem clear and logical as a result of its legalistic approach, it fails to understand the roots and importance of the Chinese claim. Furthermore, not only does it neglect to understand the potential historical validity of the claims, but it also fails to understand the historical context which has shaped the Chinese perspective on the issue.

The Philippine case is interesting given its evolution since the mid-20<sup>th</sup> century when the first claims from Manila were recorded. The result has been an ebb and flow of tensions in the relationship between Manila and Beijing at various points, depending on the status of the dispute. The relationship has been complicated further since it was internationalised in the 1990s as well as because the Philippines is a US treaty ally. Therefore, Beijing interprets any hostile actions from Manila as emanating from Washington, who is not only seem as an illegitimate actor in the region but one that seeks to contain a rising China. This presents a complex interaction between the varying interpretations of the dispute with the US taking a legalistic norms approach which the Philippines as subscribed to a certain extent and China who sees it as an issue of territorial integrity. If this is indeed seen as a sovereignty issue, then from a Chinese perspective the actions it 'has taken in the South China Sea are legitimate reactions to safeguard its territorial sovereignty' and it risks exacerbating the situation by conducting provocative military operations in the area for a number of reasons. First, these may bring back memories of imperial encroachments into Chinese territory similar to those suffered during the 'century of humiliation'. Second, taking the previous reason into account, any action may result in the Chinese Communist Party (CCP) being forced to respond militarily or risk losing legitimacy. This is because the CCP has used China's century of humiliation in order to build a historical narrative in which the exploitation of China 'ends with the salvation of China in 1949 when Mao and the CCP finally liberated the country and founded the PRC.'<sup>4</sup> Following

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<sup>3</sup> "Exclusive Q&A with Chinese President Xi Jinping." Interview by Reuters.Reuters. N.p., 17 Oct. 2015. Web. 24 Sept. 2016.

<sup>4</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.39

this narrative, it is then evident that any Chinese policy responses would have to adhere to this narrative in order to preserve the legitimacy of the ruling party.

This research will seek to answer the question of how Chinese identity shapes the foreign policy options available to the CCP in responding to the contest over the South China Sea vis-à-vis the Philippines as well as the 'Freedom of Navigation Operations (FONOP) operations led by the United States. It will strive to make a clear link between Chinese Identity creation and how this provides the communist party with legitimacy, yet constrains how it is able to respond in light of the disputes in the South China Sea. The research will also focus on freedom of navigation operations as these are seen as US encroachment in its 'near-abroad' both directly and as providing support states in the region with which China would otherwise like to negotiate bi-laterally<sup>5</sup>. It will attempt to draw a direct correlation between actions of the Philippines in the South China Sea have impacted policy making in Beijing by being closely tied to identity and legitimacy. Finally, the research will attempt to predict how China would react in the event of an escalation, either perceived (increased publicity of Philippine claims or FONOPs) or actual (such as an incident during a FONOP or hostile action by Manila). It is obvious that understanding the Chinese perspective well is essential to successfully avoiding an escalation in what is already a conflict prone region.

### Literary Review

The literature regarding the South China Sea and the ongoing disputes is extremely varied by the very nature of the fact that it involves numerous parties including states, intergovernmental organisations such as ASEAN, non-governmental organisations such as the Asian Maritime Transparency Initiative...etc. Therefore, it is highly important that we select relevant literature which will help us analyse the area of the disputes that this research focuses on, namely, FONOPs, the policy choices available to the Chinese Government, and how these are shaped by 'Chinese Identity'.

### Chinese Identity

The recent ruling of the UNCLOS in favour of the Philippines and against China was seen as the latest 'humiliation' of China in the international area by foreign powers. Indeed, while 'the west' may interpret the anger in response to the ruling as 'irrational and disruptive' nationalism, Chinese writer Xu, Bijun wrote in the 'Global Times' (A nationalist Beijing based

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<sup>5</sup> "Why Is the South China Sea Contentious?" *BBC News*. N.p., 12 July 2016. Web. 27 Sept. 2016.

newspaper) that ‘these instances...reveal the Chinese collective memory of international law’.<sup>6</sup> Xu elaborates and successfully links current proceedings and recent rulings as stemming from the same international system that was responsible for ‘unequal treaties and Western imperialism’.<sup>7</sup> True, that the Global Times is not a complete representation of the media landscape as it is more nationalistic than more mainstream sources such as Xinhua or the China Daily. However, it provides a vital insight into the position of nationalist elements in Beijing’s policy making. While a large majority may dismiss these claims outside of China, including policy makers in capitals such as Washington DC, they are not only entirely relevant but indeed crucial to understanding the Chinese position in the disputes as well as instrumental in finding diplomatic solutions. Callahan argues that the legitimacy of the Chinese Communist Party ‘grows out of the history of its revolution against foreign imperialism and domestic corruption’.<sup>8</sup> He continues that the revolution against ‘foreign imperialism’ became the centrepiece of the CCPs propaganda strategy to legitimise its rule after the Tiananmen square protests which Deng Xiaoping saw as a ‘catastrophic failure’ of the propaganda system.<sup>9</sup> Callahan’s point that the narrative of national humiliation was revived after Tiananmen may be partly accurate, but it was not created out of thin air. There are numerous incidents in the last two centuries of Chinese history that lend themselves to the creation of such a narrative and indeed the emergence of such is not completely farfetched when one takes into account unequal treaties, foreign concessions, and the Japanese invasion preceding the Second World War. China was repeatedly ‘taken advantage of’ beginning with the signing of the Nanjing Treaty of 1842 which ended the First Opium War and required the opening of treaty ports as well as the cession of Hong Kong. Early in the 20<sup>th</sup> century China had seen the Russians and the Japanese fighting over Manchuria, which was officially a piece of Chinese territory, yet were nearly powerless to stop either party and was not even consulted on such matters. The end of the First World War brought some degree of hope as the German settlements were expected to be returned to the now republican China. However, Mitter argues that the ‘West’s supposed desire for international justice and order was yet another sham’ as Germany’s possessions were given to Japan.<sup>10</sup> This resulted in large numbers of young people to turn to ‘nationalism, or in some cases Marxism, for salvation’<sup>11</sup> Ritter continues later by saying that

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<sup>6</sup> Xu, Bijun. "Chinese Owe No Apologies for Nationalism." *Global Times*, 12 Sept. 2016. Web. 21 Sept. 2016.

<sup>7</sup> *Ibid*

<sup>8</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.34

<sup>9</sup> *Ibid*, P.34

<sup>10</sup> Mitter, Rana. *A Bitter Revolution: China's Struggle with the Modern World*. Oxford: Oxford UP, 2004. Print. P.38

<sup>11</sup> *Ibid*, P.38

while the rise of communism and nationalist ideas ‘have been treated as aspects of the same phenomenon’, it is ‘misleading and unfair to characterise nationalism as simply a second fiddle for the all-important rise of communism.’<sup>12</sup> Tsu, Jing agrees to a large extent with Ritter that looking back at the development of modern nationalism from the ‘late nineteenth century through the first four decades of the twentieth century, one sees how the sense of injury resurfaces as reason for further ‘defence’<sup>13</sup>. However, Tsu correctly identifies the correlation between nationalism and state ideology in so far as ‘the latter possesses the coercive power to reshape and even supersede the former.’<sup>14</sup> It is then difficult to contend against the notion that while nationalism and the rise of communism may have started as separate forces, the former has been co-opted by the latter. This is evident through the dualistic approach taken by textbooks in China which to seek ‘legitimise their modern nation by linking it to the achievements of an ancient civilisation’<sup>15</sup> and results in a proud history which has been displayed by the party internationally including during the 2008 Beijing Olympics Opening Ceremony. More recent history focuses on the narrative of a weak China that has been repeatedly humiliated and taken advantage of at the hands of foreigners. The salvation of China finally arrives in 1949 ‘when Mao and the CCP..liberated the country and founded the People’s Republic of China’.<sup>16</sup> Consequently, when we take historical events into account, which are already tragic, and view them through the lens of the CCP, it is not unreasonable to anticipate the anger of Chinese citizens at the United States. The US is not seen as having a legitimate interest in the region other than the exertion of its hegemony, and perhaps a desire to humiliate China.

National humiliation undoubtedly plays an important role in the formation of Chinese identity, but as of late there is a nascent idea coming into fashion. Xi Jinping has advanced the idea of a Chinese dream since 2012. The definition of this new emerging narrative is ambiguous even 4 years after it was first unveiled, yet it presents the possibility of an emerging positive narrative that does not rely on victimhood. A song titled ‘Chinese Dream’ defines it as “A dream of a strong nation...a dream of a wealthy people”.<sup>17</sup> In some senses it does not sound dissimilar from the much better known American dream. However, the Chinese dream seems

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<sup>12</sup> Ibid, P.104

<sup>13</sup> Tsu, Jing. *Failure, Nationalism, and Literature: The Making of Modern Chinese Identity, 1895-1937*. Stanford, CA: Stanford UP, 2005. Print. P.225

<sup>14</sup> Ibid, P.24

<sup>15</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.14

<sup>16</sup> Ibid, P.39

<sup>17</sup> "Chasing the Chinese Dream." *The Economist*. The Economist Newspaper, 04 May 2013. Web. 02 Jan. 2017.

to be one where a nation regains its lost status on the world stage and encourages nationalism to some extent.<sup>18</sup> This is driven home by Xi's statements to the military that Chinese dream is the same as a 'strong-army dream' where the party is obeyed and serves the party's interests which are inseparable to those of the Chinese nation.<sup>19</sup> The result may be a more assertive policy which is tied to the perception of a strong China on the cusp of being a true global power. The intricacies of how this narrative merges into modern Chinese identity will depend on how its definition evolves un Xi and its durability thereafter. In the next section the research will look at how this identity has historically constrained the policy choices available to the CCP.

### Identity and Policy Choice

The narrative of national humiliation has been successfully advanced by the CCP as a way to legitimise itself and remain in power as the defender of China and Chinese people from 'the west'. It has sought to explain the backwardness of China as a result of western obstructionism<sup>20</sup> and has extrapolated this into a lesson that all Chinese people must learn, which is that 'a weak country will be bullied and humiliated, and the backward will be beaten'.<sup>21</sup> Thus, this retelling of history which focuses on blaming outsiders while glossing over the shortcomings of the party directly translates into a Chinese identity which is crafted to near enough guarantee support for the CCP since those who are against its policies must then be anti-China, in favour of a weak China that can be taken advantage of. 'This binary positive/negative rhetoric reduces the complexities of political life to a simplistic zero-sum distinction'<sup>22</sup> which ensures maximum support as long as the party is seen to be adhering to the narrative it has created. It causes serious legitimacy concerns when it is seen to be straying from the principles which it claims to advance. Issues, especially those pertaining to foreign policy in an increasingly interconnected world are seldom binary, involve multiple parties both on the international stage as well as within each state actor itself. Different ministries, interest groups, the media and branches of the military are all possible participants which may influence the policy of any member state. This makes it very unlikely that all parties will be satisfied with policy all the time. One way Beijing may minimise the potential for internal discord is what Mertha calls "state framing", and while the success of this tactic may vary, it is likely to

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<sup>18</sup> "Xi Jinping and the Chinese Dream." *The Economist*. The Economist Newspaper, 04 May 2013. Web. 02 Jan. 2017.

<sup>19</sup> "Chasing the Chinese Dream." *The Economist*. The Economist Newspaper, 04 May 2013. Web. 02 Jan. 2017.

<sup>20</sup> *Ibid*, P.37

<sup>21</sup> *Ibid*, P.44

<sup>22</sup> *Ibid*, P.40



be quite strong when ‘backed by the state’s coercive apparatus’.<sup>23</sup> The state may attempt to maximise its influence of the framing of disputes in the South China Sea by trying to limit the effect of ‘policy entrepreneurs’ ability to ‘shop around for potential supporters’.<sup>24</sup> Nevertheless, while Beijing is capable of exerting substantial control over official media such as government channels and newspapers, focusing only on these ‘underscores media sophistication’<sup>25</sup> as it does not take into account the large amounts of information shared by netizens on online platforms such as ‘Weibo’, ‘Weixin’, as video sharing sites such as ‘Youku’ and their ability to ‘undermine Beijing’s ability to maintain its monopoly on spin.’<sup>26</sup> As a consequence, decision makers must always ensure that they make decisions consistent with the basis for the legitimacy of the CCP. This is evident in recent events which tested the party’s ability to control the narrative when it comes to international issues, contrary to the outside perception which regards the CCP as having hegemony domestic propaganda and nationalism.<sup>27</sup> This simplification of the interactions between the policy makers and the Chinese people who, though educated with a certain narrative are not obliged to adhere to it. It leads to outsiders dismissing the emotions of the Chinese people whose beliefs and interaction with the outside world through direct experience and state as well as social media help shape their opinions and leads to an ever-evolving perception of what is China and what it means to be Chinese. The more extreme elements within society may be especially involved and challenge the CCPs ‘hegemony over Chinese nationalist discourse’, placing ‘tremendous pressure on those who decide the PRC’s foreign policy.’<sup>28</sup> This effectively constrains the number of policy choices available to Beijing without risking its legitimacy. In effect, the awakening of the more nationalist elements within society prevents Beijing from negotiating over territory as it has in the past.<sup>29</sup> Some prominent examples are: first is the during the mid-air collision of a US spy plane in 2001 resulting in the presumed death of the pilot of the Chinese aircraft. The US’s plane landed in Hainan and its crew were detained by the PRC for 10 days until the US expressed regret over the incident. While the PRC likely had no desire to escalate the situation it could not simply be seen to release the crew without any consequences, as that could be interpreted as capitulation to the US. Second, a few years after the spy plane

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<sup>23</sup> Mertha, Andrew. ““Fragmented Authoritarianism 2.0”: Political Pluralization in the Chinese Policy Process.” *The China Quarterly* 200 (2009): P.999

<sup>24</sup> Ibid, P.998

<sup>25</sup> Ibid, P.998

<sup>26</sup> Ibid, P.998

<sup>27</sup> Gries, Peter Hays. *China's New Nationalism: Pride, Politics, and Diplomacy*. Berkeley: U of California, 2004. Print.P.17

<sup>28</sup> Ibid,P.136

<sup>29</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.112

incident, 'the CCP became worried at the enthusiasm with which the anti-American agenda was taken up by some activists' in opposition to the 2003 war in Iraq<sup>30</sup>. Some of its participants found themselves 'under official surveillance, despite their strongly nationalist position.'<sup>31</sup>

### Analysis

The following section will analyse the link between identity and policy choices. It will do so first by outlining the general context of the situation in the cases which are within the realm of the research. It will begin with an overview analysis of China's claims and move on to how these overlap with the claims of the Philippines and provide a brief background to US policy in the South China Sea. The research will then dive further and analyse the interplay between the case of the Philippines' actions, US policy and Chinese identity. Each case will be analysed given its specific circumstances before continuing to attempt to draw on similarities between each and whether the information can lead to better policy making.

### Analysing China's claims and policy

Historical analysis and context play extremely important parts in understanding and working towards a resolution of the conflict. While the modern-day conflict involves the PRC, its claim is based on being a direct descendant of a Chinese nation of with thousands of years of history. Since the PRC and by extension, the CCP see themselves as a continuation of Chinese civilisation they assert 'historical' claim over the area going back as early as 200BC when the islands were used as 'shelter or other purposes' by Chinese 'navigators and fishermen.'<sup>32</sup> It is contentious whether these are enough grounds to claim sovereignty over the features and the sea, especially given that occupation was not 'effective or permanent.'<sup>33</sup> The early 20<sup>th</sup> century saw expeditions to the area led by admiral Li Zhun, but the area remained largely free of competing claims, well past the middle of the 20<sup>th</sup> century. The 1956 'discovery' of features in the SCS by Philippine citizen Tomas Cloma in 1956 drew opposition by China, but there was no action forthcoming other than the stating that it was part of Chinese territory. The Philippine government in response claimed that the islands had become 'res nullius' once Japan renounced sovereignty over in the San Francisco treaty of 1951<sup>34</sup> and were therefore

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<sup>30</sup> Mitter, Rana. *A Bitter Revolution: China's Struggle with the Modern World*. Oxford: Oxford UP, 2004. Print. P.299

<sup>31</sup> *Ibid*, P.299

<sup>32</sup> Lee, Lai To. *China and the South China Sea Dialogues*. Westport, CT: Praeger, 1999. Print.P9

<sup>33</sup> *Ibid*,P10

<sup>34</sup> Zhao, Hong. "Sino-Philippine Relations: Moving Beyond South China Sea Dispute?" *The Journal of East Asian Affairs* 26.2 (2012):P.60

open to economic to nationals of any country under international law.<sup>35</sup> There was no further action by any party other than stating the positions above. The occupation ended when Taipei used force to drive Cloma's men out of the area.<sup>36</sup>

The PRC position remained that the Philippine occupation was illegal and dismissed Manila's argument of *res nullius* as it had never 'expressed any intention to relinquish sovereignty over those features.'<sup>37</sup> While Chinese presence undoubtedly declined in during the republican period and leading into the Second World War, China's fundamental historical claim is that prior to the arrival of imperial powers in the SCS, the islands and 'their surrounding areas were part of a Chinese domain'<sup>38</sup> Therefore, 'the relationship of history to the present' presents itself as the key issue in assessing which state possesses sovereign rights over the features and their surroundings.<sup>39</sup> It is important to note that the assertion that the PRC's claims are historical directly results in them becoming part of the CCP's 'fight against foreign encroachment'<sup>40</sup>, which it uses in part to legitimise its rule while at the same time constraining the options available to resolve the dispute with the Philippines. There can be no solution to the current disputes which lead to reduction of what is at least perceived to be sovereign Chinese territory as this would instantly de-legitimise the CCP as the protector of the Chinese nation. Some have suggested that the solution would be for claimants, in this case the Philippines to accept Chinese sovereignty to allow negotiations and joint development of resources to move forward.<sup>41</sup>

### Overlapping claims of China and the Philippines

This Paper focuses on one of the main areas of concern in the SCS disputes is that between the PRC and the Philippines. China has repeatedly claimed that it has historical sovereignty over the SCS given a long history extending through history, which nullifies any competing claims made by other actors. 'The Sparty Islands had become a part of China even before Magellan discovered the Philippines'<sup>42</sup> according to the People's daily in response to

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<sup>35</sup> Chi-kin, Lo. *China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands*. N.p.: Routledge, 1989. Print.P141

<sup>36</sup> *Ibid*,P.141

<sup>37</sup> Wu, Shicun, and Keyuan Zou. *Arbitration concerning the South China Sea: Philippines versus China*. Farnham, Surrey, England: Ashgate Limited, 2016. Print.P.16

<sup>38</sup> *Ibid*,P.27

<sup>39</sup> *Ibid*,P.47

<sup>40</sup> *Ibid*,P.16

<sup>41</sup> Lee, Lai To. *China and the South China Sea Dialogues*. Westport, CT: Praeger, 1999. Print.P.140

<sup>42</sup> Chi-kin, Lo. *China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands*. N.p.: Routledge, 1989. Print.P.140

the Cloma's 'discovery' of the features in 1956.<sup>43</sup> Yet, there was no official claim by the Philippine government until July 10<sup>th</sup>, 1971, when president Marcos issued a statement 'articulated an official claim by the Philippines to part of the Spartlys.'<sup>44</sup> Given that these claims are relatively recent it would not be completely unreasonable at least acknowledge the possible validity of the PRC's position that it exerts historical sovereignty over the Spartlys or the Nansha islands as they are called in Chinese.

The dispute between the Philippines and the PRC over the Spartlys has the most potential to be the most disruptive to international peace. Manila is a US treaty ally and as such raises the real prospect of great power conflict should there be any miscalculation on the part of any party. This danger is further exacerbated by Beijing's refusal to acknowledge that Washington possesses a legitimate interest in the region which is instead perceived to be an attempt to counterbalance a rising China.<sup>45</sup> There has been a long held belief in Beijing's policy circles that Manila's interest in the Spartlys has been 'encouraged by the US.'<sup>46</sup> Relations between Manila and Beijing have depended on their inclination or lack thereof towards confrontation with either Washington and/or Beijing, which we are able to observe through the lens of changing relations between administrations in the Philippines. One only has to look at the very different approaches taken by the Aquino administration between 2010-2016 and the previous Arroyo administration to gauge the impact they have on relations with both the US and the PRC. Arroyo's administration enjoyed broadly positive relations with Beijing in spite of the SCS disputes and was able to reach an agreement the 'Conduct of Parties in the South China Sea' in 2002.<sup>47</sup> While, Aquino oversaw the strengthening of ties with Washington, including agreements to increase its military presence for the first time since 1992.<sup>48</sup> This along with decision initiate arbitration over the Spartlys have resulted in the escalation of tensions in the SCS and turned it into a 'potential flashpoint'<sup>49</sup>

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<sup>43</sup> Ibid,P.140

<sup>44</sup> Ibid,P.143

<sup>45</sup> Zhao, Hong. "Sino-Philippine Relations: Moving Beyond South China Sea Dispute?" *The Journal of East Asian Affairs* 26.2 (2012): P.66

<sup>46</sup> Chi-kin, Lo. *China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands*. N.p.: Routledge, 1989. Print.P.140

<sup>47</sup> China. Ministry of Foreign Affairs. *JOINT STATEMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE REPUBLIC OF THE PHILIPPINES*. Embassy of the PRC in the Philippines, 21 Oct. 2016. Web.

<sup>48</sup> De Luce, Dan. "First Cracks Appear in the U.S. Alliance With the Philippines." *Foreign Policy*. N.p., 7 Oct. 2016. Web. 21 Nov. 2016.

<sup>49</sup> Yu, Mincai. "The South China Sea Dispute and the Philippines Arbitration Tribunal: China's Policy Options." *Australian Journal of International Affairs* 70.3 (2016):P.218

### Chinese Policy and Identity in the Philippines case

The Philippines first officially claimed part of the Spratlys in July, 1971 by employing the argument of proximity.<sup>50</sup> It claims that it is part of the same Philippine continental shelf and therefore part of the Philippine archipelago.<sup>51</sup> This was the official beginning of the territorial disputes between Manila and Beijing. Through the decades, the level of tensions has varied considerably. Previous instances of escalating tensions between the Philippines and China have been preceded by a publication of the dispute in some way either by Manila, the US, or International bodies in the case of UNCLOS. This elicits a Chinese response which reaffirms its position and frames it as an issue pertaining to territorial Integrity. Although, this may go counter to the actual wishes of policy makers in Beijing, they must ensure they are not seen as weak and compromising as this would risk delegitimising the CCP. The legitimacy of CCP rule is in part based on rescuing China from the century of humiliation where it was forced to cede territory and sign unequal treaties, therefore it would be immediately problematic to be seen to renege on this core pillar of its legitimacy.<sup>52</sup> Even so, this does not mean that it seeks conflict. Although the CCP is often portrayed as a belligerent in the region unwilling to compromise, it has previously sought to resolve territorial disputes through negotiation rather than conflict even when this results in the loss of territory.<sup>53</sup> The portrayal of Beijing as uncompromising is mistaken and dangerous as it does not take into account the particular environment on which the CCP relies on to maintain power, it is not opposed to compromised and has actually been in favour of shelving disputes in favour of developing relations in the past.<sup>54</sup> What it must guard against is risk of delegitimization resulting from public denunciations which question the sovereignty of the features. The policy regarding how these claims are enforced has evolved depending on the administration in power.

President Marcos, made the first official claim through both a presidential decree and the use of the military. Beijing demanded that Manila ‘must immediately stop its encroachment upon China’s territory’<sup>55</sup> in response to the publication of a presidential decree but did not respond to ‘actual troop occupation’ as it was routine for Manila to neither confirm nor deny news reports of occupation of the islands which reduced friction with the PRC.<sup>56</sup> Manila’s

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<sup>50</sup> Chi-kin, Lo. *China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands*. N.p.: Routledge, 1989. Print.P.144

<sup>51</sup> *Ibid*,P.145

<sup>52</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.34

<sup>53</sup> *Ibid*,P.112

<sup>54</sup> Lee, Lai To. *China and the South China Sea Dialogues*. Westport, CT: Praeger, 1999. Print.P.109

<sup>55</sup> *Ibid*,P.146

<sup>56</sup> *Ibid*,P.152

refusal to provide confirmation limited publication of the incident and helped to limit objections from Beijing, as it was not interested in an international confrontation during the tumultuous period of the Cultural Revolution. In contrast, the CCP was compelled to respond to ‘public, official proclamation of Philippines’ sovereignty’<sup>57</sup> to maintain its legitimacy which derived from standing up to foreign imperialism. Mao could not be the saviour of the nation and then be seen to concede an inch of territory. Accordingly, the policy of responding to public claims suited both Beijing and Manila and 1975 saw the establishment of official relations between the Philippines and the PRC, serving as further evidence that both sides were willing to overlook the dispute at least in part to further ties.

Aquino, who succeeded Marcos followed a similar policy of prioritising relations over the disputes. There was agreement between Beijing and Manila in 1988 that the disputes over the Spratlys would be put aside for ‘the time being’ and China no intention to challenge the Philippine claim until the mid-1990s.<sup>58</sup> Following the period of relative calm which had endured in bi-lateral relations until this point, would come the beginning of a more tumultuous era. It is important to note that relative calm prevailed while the disputes were in large part ‘frozen’. This suited Manila who surely would not fare well in a conflict with a superior military power as well as Beijing who could focus on other aspects of bilateral relations if the narrative it had created was not challenged. The calm would not last long past the changes ushered in by the period at end of the Cold War until the early 1990s. There seem to be two main causes for the change. First, the collapse of the Soviet Union and its repercussions on international society were front and centre for policy makers in Beijing, especially following the Tiananmen square protests. Deng Xiaoping, conscious of global events perceived that the party would go the same way as other communist states due to an irreversible crisis of legitimacy. The long-term response was to overhaul the CCPs propaganda system and restore the narrative of ‘national humiliation’.<sup>59</sup> The aim was to legitimise the party’s rule while framing China’s weakness as a direct consequence of actions by the west to constrain it, while at the same time portraying itself as the vehicle to restore its former greatness.<sup>60</sup> In this narrative which was successfully advanced through education and the publishing of ‘national humiliation’ textbooks, China is always portrayed as an often helpless victim to foreign

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<sup>57</sup> Ibid,P.152

<sup>58</sup> Lee, Lai To. China and the South China Sea Dialogues. Westport, CT: Praeger, 1999. Print.P.101

<sup>59</sup> Callahan, William A. China: The Pessimist Nation. Oxford: Oxford UP, 2010. Print.P.32

<sup>60</sup> Ibid,P.37

aggression.<sup>61</sup> The narrative that the CCP has created has been taken up by the people and now acts as a constraint on conflict resolution as it limits the number of acceptable outcomes. Beijing must be careful not to be accused of committing treason by surrendering Chinese territory, just as it was in 2004, when it reached an agreement regarding islands ‘at the confluence of the Amur and Ussuri rivers.’<sup>62</sup> It is precisely for this reason that the shelving of disputes to ensure they do not become potential flashpoints is such an attractive option for Beijing. This brings us to the second significant event, this time in Manila. President Ramos, who succeeded the Aquino administration, moved to internationalise the dispute.<sup>63</sup> By reaffirming its claims with the international community, Manila, forced Beijing to take a public stance on the disputes and led to several actions from both sides which would exacerbate tensions. The implications of diminished trust was laid bare when the Philippines revealed that China had secretly built structures on Mischief reef, which is within the area claimed by Manila.<sup>64</sup> The situation escalated further when the Philippines retaliated by destroying territorial markers and arresting ‘Chinese fishermen for poaching.’<sup>65</sup> Beijing was forced to respond to these very public acts and labelled the actions as ‘provocative’ and declared that it would use international law, including UNCLOS to examine the disputes.

With the disputes now certainly internationalised, Beijing could not retreat from its claims without risking backlash from more nationalist elements within China and instead sought to institute initiatives to prevent further escalation and the establishment of mechanisms to limit conflict. This is consistent with the CCP narrative of a peaceful China that does not seek international conflict unless it is unavoidable to defend the nation. The outcome was an ‘eight-point code of conduct’ which marked the beginning of ‘a more active role of the Association of Southeast Asian Nations(ASEAN)’ and led to the ‘2002 Declaration on the Conduct of Parties in the South China Sea.’<sup>66</sup> The management of the conflict through confidence building measures rather than focusing on the disputes<sup>67</sup> allowed relations to stabilise and was in the interest of both parties, neither of which sought to escalate the conflict. This environment continued during Arroyo’s presidency, and led to a commitment to ‘maintain

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<sup>61</sup> Ibid,P194

<sup>62</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P.112

<sup>63</sup> Lee, Lai To. *China and the South China Sea Dialogues*. Westport, CT: Praeger, 1999. Print.P.102

<sup>64</sup> Ibid,P.102

<sup>65</sup> Ibid,P.102

<sup>66</sup> Li, Jianwei. "Managing Tensions in the South China Sea: Comparing the China-Philippines and the China-Vietnam Approaches." NISCSS, 23 Apr. 2014. Web. 20 Nov. 2016.

<sup>67</sup> Ibid

peace and stability' during Hu Jintao's 2005 visit.<sup>68</sup> The exchange of high level visits led to the Joint Maritime Seismic Understanding (JMSU) which promoted the idea of joint development first discussed by Aquino and Deng Xiaoping in 1988.<sup>69</sup> While this may seem like a generous offer and a pragmatic approach, it depended on 'the premise of admitting China's sovereignty over' the features,<sup>70</sup> once again making it abundantly clear that Beijing would not compromise on this point.

The most recent tensions can be traced to the administration of Aquino III, who is seen to have abandoned bi-lateral negotiations preferred by Beijing.<sup>71</sup> The Philippines under Aquino III has attempted to rally ASEAN to one common position, and it drawn closer to the US<sup>72</sup> which Beijing does not recognise as having a legitimate interest in the region. The Philippine position was influenced by Beijing's 'submission of a "9-dash line" claim to the South China Sea in 2009' and increased military spending as evidence that the PRC was growing more assertive in the region. The April 2012 incident which resulted in the loss of Scarborough Shoal, further reaffirmed the perception in Manila that there had been a clear change and Beijing would now pursue a more assertive foreign policy. This played a significant role in its decision to challenge the PRC under article 287, annex VII of UNCLOS.<sup>73</sup> The Philippines sought to challenge not only what it sees violations of its sovereignty, but the validity of the 'nine-dash line'. Given the great disparities between the Philippines and the PRC it is unlikely Manila would challenge Beijing without 'some measure of US backing', likely as part of an arrangement to highlight China's threat<sup>74</sup> and to further Washington's policy goals in Asia.

The filing under UNCLOS presented a grave threat to the status quo of how disputes had been handled. The CCP could no longer rely on the conflict keeping a low profile and carry on relations as usual given this very public challenge. Its response was refusal to participate in the process in the hope of de-legitimising it both in the eyes of domestic and international audiences. Beijing refused to submit documents to UNCLOS and it went further by alleging that the 2006 declaration with the Philippines cover this dispute and that the case concerns

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<sup>68</sup> Ibid

<sup>69</sup> Ibid

<sup>70</sup> Ibid

<sup>71</sup> Ibid

<sup>72</sup> Ibid

<sup>73</sup> Li, Jianwei. "Managing Tensions in the South China Sea: Comparing the China-Philippines and the China-Vietnam Approaches." NISCSS, 23 Apr. 2014. Web. 20 Nov. 2016.

<sup>74</sup> Zhao, Hong. "Sino-Philippine Relations: Moving Beyond South China Sea Dispute?" *The Journal of East Asian Affairs* 26.2 (2012): P.66



issues of sovereignty, 'preventing the tribunal from asserting its jurisdiction.'<sup>75</sup> Beijing maintains that the 'essence of the subject-matter of the arbitration is territorial sovereignty over several maritime features in the SCS, which is beyond the scope of the convention.'<sup>76</sup> This interpretation is not wholly unreasonable as it is nearly impossible to decide on the claims without first clarifying the sovereignty issue over the contested islands.<sup>77</sup> Beijing has sought to delegitimise the proceedings in order to maintain its own legitimacy. Even accepting the case would suggest that there are grounds for a challenge and is the antithesis of the official narrative in which the features have historically been Chinese territory and their sovereignty is beyond refute. Maintaining this narrative is pivotal to upholding the legitimacy of the CCP and from preventing more nationalistic elements from influencing policy. It is unlikely that Beijing would actively seek conflict as it is aware that this would cause extensive damage to its development and potentially end CCP rule if it lost. Nonetheless, it faces serious pressure from nationalists who command followings and pressure the CCP to retaliate to competing claims and hostile actions. Because the CCP 'depends upon its ability to stay on top of popular nationalist demands'<sup>78</sup>, efforts to further internationalise the dispute by involving other actors such as the US or UNCLOS significantly lessens its ability to compromise and increases the chance for escalation by empowering more nationalist elements within China.

### Chinese Identity and US policy in the South China Sea

The presence of the US in the area is no surprise given the large amount of international trade which sails through the SCS as well as the presence of regional allies such as Japan, and of course the Philippines. US involvement is framed in a legalistic manner where it is a benign hegemon merely trying to maintain freedom of navigation and ensure that sea lanes remain open to all. Most Southeast Asian states, including the Philippines see Washington's presence as helpful in helping to counter-balance growing Chinese military might. However, Beijing and the CCP does not subscribe to this view and is loath to recognise the US as having a legitimate interest in the region. Nationalists within Beijing go further and paint an aggressive anti-China US policy attempting to encircle the PRC and prevent it from regional leadership in its near abroad.

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<sup>75</sup> Wu, Shicun, and Keyuan Zou. *Arbitration concerning the South China Sea: Philippines versus China*. Farnham, Surrey, England: Ashgate Limited, 2016. Print.P.3

<sup>76</sup> Ibid,P.14

<sup>77</sup> Ibid,P.14

<sup>78</sup> Gries, Peter Hays. *China's New Nationalism: Pride, Politics, and Diplomacy*. Berkeley: U of California, 2004. Print.P.136

The official position in Washington is that it takes no sides on the sovereignty of the features.<sup>79</sup> The US has claimed that the ‘pivot to Asia was not intended to punish or contain China’<sup>80</sup> but it is unlikely that this is taken at face value. US policy in the region has played an antagonistic role vis-à-vis the PRC since the 2011 pivot and its support for the Philippines<sup>81</sup> and resulted in an escalation of tensions rather than negotiations which aim to resolve the disputes. While, the situation seems to be evolving given President Duterte’s policy change, there is still significant tension that has built up in the region. The Philippine’s use of UNCLOS rather than help the issue move towards resolution, did quite the opposite. By making the dispute into a high-profile case, it forced the CCP to address it within the domestic arena. The portrayal of Beijing of an international ‘outlaw’ within a system perceived to favour the US was further confirmation that the system is hostile to a rising China. Within the zero-sum narrative of national humiliation this was another loss of face at the hands of ‘Western imperialism.’<sup>82</sup> Given that the CCP obtains a significant part of its legitimacy as the saviour of the nation from western imperialism, such publicity constrains the policy options with which it may respond without compromising its mandate to rule.

In conjunction to the UNCLOS case and subsequent unfavourable ruling, the US has resumed what it calls ‘Freedom of Navigation Operations’(FONOPS) in the SCS. These operations are usually conducted by the US Navy in various parts of the world with the stated aim ensure that international waters remain open to all, though they are usually conducted in a ‘a low-key fashion.’<sup>83</sup> In contrast to the normal execution of FONOPS the resumption of these operations in the SCS during the second half of 2015 was anything but low key. It was debated in the US congress, and widely publicised in US and international media prior their actual occurrence. Similarly with the UNCLOS and Philippine dispute, the more an incident is publicized and internationalised the stronger the response it will elicit from policy makers in Beijing. The official response came in the form of a protest and accusing the US of stirring up trouble in the region, but it was the unofficial response which raises much more cause for concern. The Global Times, a state-owned nationalist English publication stated:

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<sup>79</sup> Klare, Michael T. "The United States Heads to the South China Sea." *Foreign Affairs*. 20 Nov. 2016. Web. 20 Nov. 2016.

<sup>80</sup> Ibid

<sup>81</sup> Ibid

<sup>82</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P44

<sup>83</sup> Johnson, Keith, and Dan De Luce. "China Lambasts 'Illegal' U.S. Operation in South China Sea." *Foreign Policy*, 27 Oct. 2015. Web. 27 Nov. 2016.

“In face of the U.S. harassment, Beijing should deal with Washington tactfully and prepare for the worst. This can convince the White House that China, despite its unwillingness, is not frightened to fight a war with the US in the region, and is determined to safeguard its national interests and dignity,”<sup>84</sup>

Publications like these are often dismissed in the US as nationalist bluster at the behest of CCP leaders. This dangerous oversimplification prevents the US from effective policy in the region which will lead to the resolution of the disputes and instead merely results in heightened tensions between the two powers, translating into the possibility of conflict. In fact, policy makers in Washington must realise that the party must respond decisively to maintain its mandate. Provocative and public the actions empower nationalist elements not only within the CCP but within society and result in a much more aggressive response than otherwise. This fundamental point seems to be missed as part of a wholesale misunderstanding of what drives policy formulations in the SCS disputes.

A lack of transparency of how policy is made in Beijing and a dismissal of Chinese nationalism as merely a tool used by the CCP<sup>85</sup> act as constraints on effective policy formulation in Washington. It effectively dismisses the agency of actors other than the CCP in policy making and fails to account for the interaction between society, the media, interest groups and the CCP. Lower penetration of mass media especially online allowed the party to maintain monopoly on information, giving propaganda officials time to create suitable narratives. This is no longer the case in China, where the spread social media along with smartphones and internet penetration force authorities to respond to events in real time, severely weakening the CCP’s monopoly on information. This misapprehension on the part of the previous Philippine administration and current policymakers in Washington have resulted in failed policies. Rather than allow Beijing to negotiate and compromise, the nature of these widely-publicised incidents have increased the number of policy entrepreneurs able to influence foreign policy. These agents would have previously been excluded from the policymaking process through state-framing. Their entrance has been facilitated by the public nature of the incidents and the policy responses which seem to dismiss the agency of Chinese society and deal with China as a unitary actor where policy is controlled only by the CCP.

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<sup>84</sup> Ibid

<sup>85</sup> Gries, Peter Hays. *China's New Nationalism: Pride, Politics, and Diplomacy*. Berkeley: U of California, 2004. Print.P.19

The bombing of the Chinese embassy in Belgrade provides a prominent example of the severity of the misunderstanding. The bombing resulted in large scale protests which were not contained to the mainland but included ‘Chinese across the globe spontaneously poured into the streets to protest.’<sup>86</sup> The People’s Daily proclaimed “This is not 1899 China”<sup>87</sup>, in obvious reference to the era of unequal treaties and imperial incursion. The reaction was one of shock in US media, who ‘thought the Chinese people were not genuinely angry with America; rather, they were manipulated by Communist Party propaganda’<sup>88</sup> including a delay in publishing NATO’s apology until May 11<sup>th</sup>.<sup>89</sup> This more than an oversimplification, it is a complete misreading of Chinese nationalism which treats Chinese as though they have no agency or role in their own identity. It also does not explain the overseas Chinese reaction including academics in North America who had access to US media.<sup>90</sup> While the narrative of victimhood is taught as part of patriotic education in schools, and the party does indeed publish propaganda, it does not mean that it has a monopoly on the Chinese nationalist discourse, especially present day in the age of internet connectivity and social media.<sup>91</sup> Indeed, there is now a sizeable number of popular nationalist figures which exert pressure on decision making and ‘the legitimacy of the current regime depends upon its ability to stay on top of popular nationalist demands.’<sup>92</sup> It is precisely for this reason that Beijing seeks to use its power to censor and limit the publicity of sensitive issues, especially those likely to present potential conflicts as this allows a larger degree of freedom in policy making. The public stance taken by the Philippines with UNCLOS and by the US regarding freedom of navigation has resulted in a more assertive policy because the publicity of these policies has given power to policy entrepreneurs making it nearly impossible for Beijing to compromise without appearing to delegitimise itself.

Taking this into account it is not difficult to understand why the policies of the Philippines and the United States have failed to achieve their objectives. Instead they have been rather counterproductive, leading to heightened tensions and lower chances of finding a resolution. This important realisation should be taken on board both in Washington and Manila. Indeed, Manila seems to be closer to the realising that its policies have resulted in economic damage and no political or geostrategic gains. While, the disputes are likely to endure for the

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<sup>86</sup> Ibid,P.14

<sup>87</sup> Ibid,P.17

<sup>88</sup> Ibid,P.17

<sup>89</sup> Ibid,P.17

<sup>90</sup> Ibid,P.19

<sup>91</sup> Ibid,P.136

<sup>92</sup> Ibid,P.136

foreseeable future but tensions and the chance of conflict can be lessened by taking a more low-key approach. This would provide Beijing with more room to negotiate given less publicity, and would likely be favoured by the CCP given its preference to ‘negotiate solutions with its neighbours.’<sup>93</sup>

### Taking Chinese Identity into Account in Policy Making

After analysing at the Philippine case along with US involvement, the current state of affairs characterised by high tensions is not irreversible. Moving beyond it requires an understanding of how the actions of foreign powers, especially the US are interpreted and play out in China. Gries tells us rightly that ‘the West is central to the construction of Chinese identity today’.<sup>94</sup> The outcome is that the way that actions are interpreted directly reflects and shapes Chinese identity. The public challenges over the SCS disputes reinforce the narrative that the west seeks to keep China from rising and reinforces the legitimacy of the CCP as the saviour of the Chinese nation. Hence, the policies so far have coincided with the narrative of national humiliation as parallels can be drawn between the international system of now and that of a century ago in which the treaty of Nanjing was signed. Both instances dealt with the territorial sovereignty of China, the main difference is that China is now the second largest economy and has a modernising military. Making it unlikely that they will be forced to cede territory to foreign powers. As long as disputants attempt to use the international system or a legalistic approach rather than negotiations to resolve the disputes, they will be interpreted as attempts to constrain China. This is exacerbated every time that these disputes are widely publicised as they force the CCP to take more forceful measures than they would otherwise as they allow a greater number of policy entrepreneurs into the policymaking process. The views of these may be more nationalistic and be disseminated widely using social media and result in a more aggressive policy outcome.

Policy makers should acknowledge the agency of different sectors within Chinese society who have diverging interests not unlike their national populations. This will allow for a more balanced approach to initiatives that will be more responsive to how these sections of society would interpret them rather than making policy where the CCP is the only actor. Realising this will result in tweaking not only the policy but the approach and is more likely to

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<sup>93</sup> Callahan, William A. *China: The Pessimist Nation*. Oxford: Oxford UP, 2010. Print.P111

<sup>94</sup> Gries, Peter Hays. *China's New Nationalism: Pride, Politics, and Diplomacy*. Berkeley: U of California, 2004. Print.P.35

yield results since in spite of the portrayals in the media, it is unlikely that Beijing is actively looking for a confrontation.

The research has highlighted a clear way forward that can be applied to the SCS, the East China Sea disputes, and other foreign policy issues relating to territorial sovereignty. Its applicability is not universal and may not be used outside this realm. For example, it is unlikely this would apply to relations with China dealing with North Korean sanctions or with economic policy. This approach is most relevant in the area of territorial disputes given China's history and the historical narrative of humiliation. This forces the CCP to respond to perceived aggression and defend the nation to maintain its legitimacy, whereas in other areas it can negotiate in a more direct way depending on its national interest.

### Practical Policy Implications Going Forward

There are three main drivers of how policy in the area will develop. They are the leaders of the states. Two, the presidents of the US and the Philippines were elected in 2016 and Xi Jinping is widely expected to be re-elected next year for a second term. Below the research will attempt to predict what this means for the disputes and the disputants.

### President Duterte and a Change of Policy

The election of a new president in the Philippines has already resulted in a significant policy shift with important implications for the dispute. Duterte has been critical of the US, promising that the Philippines would re-assess its relationship with the Washington.<sup>95</sup> There is widespread concern that the result could be a new foreign policy stance which faces away from the US and towards China. Duterte's signalling that it would prefer bilateral negotiations with Beijing rather than seek to pursue the implementation of the UNCLOS ruling was greeted very positively by the PRC. The change of stance yielded a recent state visit which seems to have successfully led to the lowering of tensions and significant progress towards resuming normal relations. A joint statement highlighted the long bonds between both countries and committed both parties to working towards enhancing their friendship.<sup>96</sup> Most important is point 40 of the joint statement which pertains to the SCS and states that China and the Philippines were committed to maintaining friendly relations and negotiating bilaterally.<sup>97</sup> This de facto reset has in effect shelved the disputes for the time being and is reminiscent of agreements between

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<sup>95</sup> De Luce, Dan. "First Cracks Appear in the U.S. Alliance With the Philippines." *Foreign Policy*. N.p., 7 Oct. 2016. Web. 21 Nov. 2016

<sup>96</sup> China. Ministry of Foreign Affairs. *JOINT STATEMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE REPUBLIC OF THE PHILIPPINES*. Embassy of the PRC in the Philippines, 21 Oct. 2016. Web.

<sup>97</sup> Ibid

the PRC and the Philippines. By emphasising cooperation rather than conflict, the volte-face on the part of Manila has yielded tangible benefits, including the resumption of economic links in tourism and the import of agricultural products, both of which are significant to the Philippine economy. Duterte's new stance has also benefited Beijing by lowering the level of publicity in the aftermath of the ruling. This allowed Beijing to exclude more extreme factions from the policy debate and therefore heightens the probability of reaching a modus vivendi.

### President Elect Donald Trump

US president elect Donald Trump has already caused widespread concern in China by seeming to question the One China policy. Furthermore, he has mentioned the SCS conflict on Twitter messages,<sup>98</sup> forcing the CCP to respond to his bombastic claims and warning him of consequences if his attitude remains once he is in office.<sup>99</sup> So far, the policy execution seems to be the exact opposite of what is needed to lower tensions in the region. The high visibility of his statements are counterproductive because they appeal to the nationalist elements in both the US and China, constraining the choices of both parties, and lessening the prospect for compromise. If this holds once he enters office, it is likely that there will be heightened tensions in the next four years.

### Xi Jinping's Second Term

2017 marks the halfway point of Xi Jinping's ten-year tenure as president. At this point, he has amassed a sizeable amount of power within the CCP, partly because of his anti-corruption drive. His significance in his second term will come from two major factors; First, he will likely continue to define the parameters of the 'Chinese dream' and its evolution will define the impact it has on the evolution of Chinese identity. It is unlikely that this will result in a softening PRC's stance on the disputes and given the nationalist aspects of the 'Chinese dream' may instead consolidate its position through a continued build up or the declaration of an air identification zone. Xi has made clear that it will 'not allow anyone to infringe on China's sovereignty and related rights and interests in the South China Sea' but rather than seek conflict he is committed to 'manage disputes through institutionalized dialogue'.<sup>100</sup> The second factor is US policy under incoming president Trump. Should Trump continue to publicly tweet messages criticizing Chinese policy on a variety of areas, it will empower hard-line elements

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<sup>98</sup> Hayton, Bill. "Beijing Is Ready To Go Eyeball to Eyeball With Trump." *Foreign Policy*. N.p., 19 Dec. 2016. Web. 02 Jan. 2017.

<sup>99</sup> Ibid

<sup>100</sup> "Exclusive Q&A with Chinese President Xi Jinping." Interview by Reuters. *Reuters*. N.p., 17 Oct. 2015. Web. 24 Sept. 2016.

within the party as well as society. This would force Xi to adopt a more combative policy in response, lead to higher tensions, and lessen the opportunity for reaching an accord.

### Conclusion

It is easy to extrapolate the current tensions in the SCS into a bleak narrative of intractable conflict between various participants. This would be the wrong conclusion to reach given all the evidence examined. When considering the timeline of the conflict, it is key to remember that competing claims go back to the mid-20<sup>th</sup> century, but these did not become serious points of friction until much later. In the case of the Philippines, not until the 1990s<sup>101</sup>. They may seem intractable given the historical context, but do not present insurmountable challenges to any of the participants if they are truly motivated to do so. To do so, claimants must first achieve a better understanding of the PRC and how Chinese identity influences policy choices in Beijing. Lacking this insight has resulted in policies which have achieved nothing more than the escalation of tensions and elevating the risk of conflict. It must be clear that while this is an international law issue for some, a great power rivalry for others, it is a territorial integrity issue for many in the PRC. This last point must be taken seriously rather than dismissed outright as it holds the key to being able to negotiate its resolution. After all, issues related to the territorial integrity of a state arouse passion everywhere and it is precisely for this reason that solving them is especially difficult. China's history of imperial incursions and unequal treaties makes understanding the effects of these events on the identity of modern China crucial to achieving consensus. As we have seen, it is this identity which is in constant interplay with both its perceptions of itself and others, and exerts influence through limiting the number of acceptable policies. While this interplay occurs in every state between its government and its citizens, it is eminent in the PRC where the ruling party relies on its historical narrative for a large part of its legitimacy. This limits its scope of action, but does not mean that it actively seeks conflict or that the disputes in the SCS are unconquerable. But their resolution is much more difficult without understanding the identity-policy relation that dominates foreign policy decision making in Beijing. Washington, Manila, and others ignore it at their own peril.

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<sup>101</sup> Lee, Lai To. *China and the South China Sea Dialogues*. Westport, CT: Praeger, 1999. Print.P.38



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