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THE INFLUENCE OF ENEMIES AND FRIENDS: EXPLAINING U.S. POLICY CHANGES IN THE SOUTH CHINA SEA

by

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This thesis examines the drivers behind two significant U.S. policy changes regarding geopolitical issues in the South China Sea. The first policy change was the gradual shift from neutrality to an anti-China stance on the various territorial and maritime claims in the South China Sea. The second change was the U.S. announcement that it would support the Philippines' South China Sea interests under the U.S.–Philippines Mutual Defense Treaty. I examine two hypotheses for these policy shifts: first, that the changes occurred from the rise of China as a result of shifting balance of power and assertiveness; and second, that the United States was influenced by regional allies and partners to take a stronger stance on these issues. The evidence shows that the U.S. policy change on sovereignty was driven by a combination of a balance-of-power shift as well as several belligerent Chinese activities in the South China Sea starting in the beginning of 2020. The U.S. decision to clarify the bounds of its defense treaty with the Philippines was driven by a combination of a balance-of-power shift and the behavior of the Philippine government. Moving forward, the United States must show a firm commitment to upholding these new positions while simultaneously messaging its commitment to regional peace and global stability.

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THE INFLUENCE OF ENEMIES AND FRIENDS: EXPLAINING U.S. POLICY CHANGES IN THE SOUTH CHINA SEA

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LIST OF ACRONYMS AND ABBREVIATIONS

A2/AD	Anti-Access Area Denial
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
BRI	Belt and Road Initiative
COC	Code of Conduct
DII	Defense Innovation Initiative
EDCA	Enhanced Defense Cooperation Agreement
FONOPS	Freedom of Navigation Operations
GDP	Gross Domestic Product
MDT	Mutual Defense Treaty
NDS	National Defense Strategy
PAFMM	Peoples Armed Forces Maritime Militia
PCA	Permanent Court of Arbitration
PLA(N)	Peoples' Liberation Army Navy
PRC	People's Republic of China
THAAD	Terminal High Altitude Area Defense
UNCLOS	United Nations Convention on the Law of the Sea
USD for R&E	Undersecretary of Defense for Research and Engineering
VFA	Visiting Forces Agreement

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

Since the end of the Cold War, the South China Sea has developed into a region of increasing interaction between the United States and the People's Republic of China (PRC). While the United States has no territorial claims to the South China Sea's disputed features, America has vested interests in the South China Sea and is becoming increasingly involved in the South China Sea disputes. With respect to the many facets of the South China Sea political situation, the United States has been involved in multiple areas of policy interest to include freedom of navigation, resource exploration, maritime rights, territorial sovereignty, and security concerns.

As the economic and military influence of the PRC began to grow through the 1990s and 2000s, leading to sporadic conflictual interactions with other nations claiming territorial rights over disputed South China Sea features, the United States primarily relied on regional countries and claimants to manage the issues themselves. For instance, beginning in 1992, regional efforts led by the Association of South East Asian Nations (ASEAN) to create a formalized code of conduct (COC) for interactions between South China Sea claimants worked to mitigate the chance of conflict as the frequency of interactions between claimants increased.[1] Even though the United States was not a direct partner in the effort to draft and pass the COC, America supported these efforts, as well as any effort that was aimed at resolving the disputes in a peaceful manner consistent with international maritime law.

As presidential administrations have changed, United States' policy positions with respect to South China Sea have been historically consistent across different presidencies, but major changes have occurred over the last decade. Major changes occurred in two policy areas in particular, the legality of territorial claims and the U.S. alliance with the

[1] Jiye Kim and Daniel Druckman, "Shelved Sovereignty or Invalid Sovereignty? The South China Sea Negotiations, 1992-2016," *The Pacific Review* 33, no. 1 (November 2018): 38, https://doi.org/10.1080/09512748.2018.1535520.

Philippines. The first major change happened in the late 2000s when the Obama administration moved the U.S. position away from one of neutrality on territorial sovereignty in the South China Sea. The new policy was to position the U.S. stance more aggressively against claims that were not based in international law. While the Obama administration thinly veiled the aim of its new policy at the PRC, the new U.S. position on sovereignty was overtly emphasized during the Trump administration when the U.S. position was updated to clearly oppose Chinese sovereignty claims. The second major change happened in 2019 and regarded the applicability of the U.S.–Philippines Mutual Defense Treaty (MDT). This policy—previously ambiguous—was altered during the Trump presidency to make the treaty specifically applicable in the case of conflict over the Philippines' disputed features in the South China Sea.

This thesis provides and investigates two explanations for the U.S. policy changes. First, the United States is reacting to the rise of China: a) the change in the balance of global power driven by China's rise, and b) Chinese provocations and belligerent activity in the South China Sea. Second, that the United States is adjusting its policy positions because of the influence, desires, and pressure from ally and partner countries in Asia.

I find that both of these policy changes have resulted from the changing balance-of-power in Asia driven by the economic, military, and diplomatic rise of China at the sake of the United States. Additionally, I find that the timing of the U.S. policy change regarding territorial sovereignty suggests it is in reaction to a set of aggressive Chinese actions that started in early 2020. Furthermore, the U.S.–Philippines MDT change, while not a result of specific Chinese belligerence, has been driven by the pressure applied by the Philippine government which places U.S. strategic plans in Asia at risk.

B. IMPORTANCE

Comprehending the evolution of U.S. policy with respect to sovereignty and territorial defense, specifically understanding why changes have happened in those policy areas, is worthy of investigation for reasons of diplomatic cooperation and regional security. From a diplomatic cooperation standpoint, consistency in U.S. policy reassures allies that are reliant on U.S. security commitments and are too ill-equipped or ill-prepared

to successfully uphold their own foreign policy interests. In the South China Sea, the United States is viewed by partner nations as a balancing force to burgeoning PLA power projection capabilities. The continued trust in U.S. support and commitment provides strength to the durability of U.S.-allied nation relationships. Major changes in policy positions can throw security cooperation between the United States and its allies into uncertainty and open the United States up to substantial criticism if its' foreign policies are not supportive of international law and actionable. In the case of sovereignty, policy changes that appear aimed either for or against Chinese claims to disputed features have secondary effects on the other South China Sea claimants involved in the dispute. Actions which weaken international faith in American commitment to peace and freedom can have an adverse effect on the willingness of partner nations to support U.S. actions in a time of crisis.

In terms of regional security, changes in policy can place country-to-country relationships at risk or open venues for America's enemies to exploit those relationships. For instance, the perception and actuality of U.S. support for Philippine arbitration under UNCLOS against the PRC resulted in creating additional challenges for the U.S.–PRC relationship in the wake of a series of confrontational military interactions. Similarly, changes in policy can be a casus belli in that actions taken by the United States to position itself advantageously against China's growing influence could be the trigger for belligerent actions or increase the danger of potential military escalation. Ensuring that policy decisions are actionable and do not overstretch U.S. military commitments is key to positioning the U.S. diplomatic corps and armed forces for sustained success in an era of renewed great power conflict in Asia. From an international cooperation standpoint, U.S. foreign policy has been questioned substantially in the wake of the Trump administration's unpredictability and risks being misinterpreted or misjudged as non-substantial or non-defensible. Ensuring that U.S. foreign policy positions are solid and meaningful is key to mitigating conflict in the South China Sea where the stakes of a conventional war would be dire.

C. LITERATURE REVIEW

In an effort to understand why the U.S. has altered its stances on both sovereignty of disputed island features and the U.S.–Philippines MDT, the potential explanations for these changes must be analyzed. This literature review outlines four schools of thought that explain these changes in U.S. policy with respect to the South China Sea. The first school of thought explains the changes as a U.S. reaction to a broader shift in the geopolitical balance of power. The second school of thought explains changes in U.S. policy as a reaction to Chinese activity and belligerence in South China Sea in order to maintain the status quo. The third school of thought explains these changes as a result of the influence of U.S. ally and partner nations. Given the importance of these first three schools of thought, they will be further investigated in Chapter III and Chapter IV of this thesis. A fourth school of thought, that U.S. policy decisions are both heavily influenced by and derived from the personalities of the administrations that they are enacted under, is discussed in the literature review but will not be used for subsequent analysis.

1. Reactions to a Shift in the Global Balance of Power

The first explanation for a change in U.S. policy is that America's actions are a result of changing geopolitical balance of power, which indicates that the United States will soon be supplanted by China as the dominant force in global affairs. According to this theory, American foreign policy has been increasingly driven by attempts to maintain its leadership of the global international order, particularly in the wake of the 2008 Global Financial Crisis and two wars in the Middle East which damaged America's global image.[2] The economic and security challenges faced by the United States were coupled with a growth of military and economic might in China. As Joseph Liow, professor and former dean of Singapore's S. Rajaratnam School of International Studies, describes the situation, as China's relative power has grown, it created "a strategic dilemma that will exercise the

[2] Alice Ba, "Staking Claims and Making Waves in the South China Sea: How Troubled Are the Waters?," *Contemporary Southeast Asia* 33, no. 3 (2011): 281, https://doi.org/10.1355/cs33-3a.

U.S. foreign policy establishment for many years to come as it seeks to balance between accommodating China's rise and maintaining American primacy."[3]

This shift in balance of power theory is supported by Brantly Womack, professor of foreign affairs at the University of Virginia, who postulates that two specific developments affected U.S. policy in Asia. The first development was China's better economic performance relative to its neighbors and the United States in the aftermath of the Global Financial Crisis, while the second development was its increase in military capability, particularly since 2008, relative to the United States.[4] Sarah Rain and Christian Le Miere claim that U.S. policy in greater Asia and the South China Sea in particular has also been driven by "concerns of grand strategy" regarding the maintenance of the balance of power in Asia.[5] According to these two authors, the U.S. focus on Asia during the Obama period aimed to "bolster the U.S. presence in the region and reduce uncertainty there regarding its commitments, whilst also warning China away from any temptation… to employ more heavy-handed tactics."[6]

Andrew Scobell argues in support of the changing balance of power theory but focuses on its geopolitical aspects. Scobell asserts that both China and the United States have attached greater geostrategic importance to the South China Sea in the wake of the Cold War and that changes in Chinese power are affecting U.S. naval predominance in the South China Sea. For Scobell, changes in U.S. behavior are a result of China increasing its blue water naval capabilities and military influence in a region where the U.S. Navy had

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[3] Joseph Chinyong Liow, *Ambivalent Engagement: The United States and Regional Security in Southeast Asia after the Cold War* (Washington, DC: Brookings Institution Press, 2017), 237, http://muse.jhu.edu/book/55769/.

[4] Brantly Womack, "The Spratlys: From Dangerous Ground to Apple of Discord," *Contemporary Southeast Asia* 33, no. 3 (2011): 371–72, https://doi.org/10.1355/cs33-3e.

[5] Sarah Raine and Christian Le Miere, "Chapter Four: The U.S. in the South China Sea," in *Regional Disorder: The South China Sea Disputes*, 1st ed., vol. 53, Adelphi Series (London, United Kingdom: Routledge, 2013), 151, https://doi.org/10.1080/19445571.2013.779492.

[6] Raine and Le Miere, 153.

previously been unchallenged in its ability to operate.[7] Denny Roy finds a similar rational for U.S. policy behavior and terms the current contention in the South China Sea as a competition between an existing "Pax Americana" and a rising "Pax Sinica" over a region where the United States has long been the preeminent power.[8] If viewed from this standpoint, changes in U.S. policy are primarily motivated by geopolitical factors stemming from a change in the balance of power.

Some scholars, while agreeing that U.S. policy changes are a result of its desire to maintain the current status quo, indicate that U.S. policy shifts have been manufactured in order to give credence to the United States' renewed focus on the Indo-Pacific. In regard to the South China Sea, Chu Shulong claims that the United States "invented trouble there to 'return to Asia' and 'rebalance' the Chinese rising role and influence in Asia."[9] This take is interesting because it views U.S. policy decisions as reactionary but as more aggressively motivated and ill-intentioned at keeping a balance of power shift from occurring.

This balance-of-power shift theory is worth pursuing because it does not couple all U.S. Asian policy directly to China—even though China plays a large role in its creation. If evidence is available to support this as an explanation for specific U.S. policy adjustments, it may lend similar explanations for broader trends in U.S. foreign policy.

2. Reactions to Chinese Belligerence

A second explanation is that the United States' policy changes are reactions to specific instances of belligerent diplomatic and military behavior by the Chinese. Michael McDevitt claims that, with respect to disputed island features in the South China Sea, Chinese land reclamation activity "put pressure on the U.S. to respond," even though

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[7] Andrew Scobell, "The South China Sea and U.S.-China Rivalry," *Political Science Quarterly* 133, no. 2 (2018): 224, https://doi.org/10.1002/polq.12772.

[8] Denny Roy, "The United States and the South China Sea: Front Line of Hegemonic Tension?," in *The South China Sea Dispute*, ed. Ian James Storey and Cheng-Yi Lin, 1st ed. (Singapore: ISEAS-Yusof Ishak Institute, 2016), 239, Project Muse.

[9] Chu Shulong, "China and the United States in Southeast Asia," in *China, the United States, and the Future of Southeast Asia*, ed. David B.H. Denoon (New York, N.Y.: NYU Press, 2017), 345, Project Muse.

America had no direct stake in the sovereignty disputes between claimant nations.[10] According to McDevitt and other experts who follow this theory, U.S. policy evolved to take a more aggressive stance against apparent Chinese land grabbing activities that were contrary to the liberal world order.

Marvin Ott also largely ascribes the current trends in U.S. policy focus on Asia to a combination of factors with the most notable of those being, "increasingly overt claims to Chinese sovereignty over nearly all of the South China Sea."[11] According to Ott, the combination of aggressive diplomatic claims to disputed South China Sea territory, combined with an expansive military buildup and modernization—specifically a naval expansion—have been the dominant drivers for a newfound aggressiveness in U.S. policies as they apply to the South China Sea. In 2015, a team of experts from the Congressional Research Service conducted an analysis on PRC land reclamation activities which focused heavily on the military implications of Chinese island dredging and subsequent improvements in military armament of those islands.[12] The analysis provided a series of policy recommendations, including stronger U.S. statements to China, increased publicizing of China's activities, increased arms sales to Taiwan, and increased frequency of Navy operations in the region, which were aimed specifically at countering Chinese territorial and military ambitions in the South China Sea.[13] This advice to Congress suggests that U.S. policy changes are driven in a reactionary fashion to specific Chinese activity in the South China Sea.

Michael Green's analysis of the Obama administration's Asia policy decisions also supports this theory. Green proposes that the Obama administration's clarification of

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[10] Michael McDevitt, "U.S. Policy Options in the South China Sea," in *China, The United States, and the Future of Southeast Asia*, ed. David B.H. Denoon (New York, N.Y.: NYU Press, 2017), 389, Project Muse.

[11] Marvin C. Ott, "U.S. Security Strategy and Southeast Asia," in *China, the United States, and the Future of Southeast Asia*, ed. David B.H. Denoon (New York, N.Y.: NYU Press, 2017), 371, Project Muse.

[12] Ben Dolven et al., "Chinese Land Reclamation in the South China Sea: Implications and Policy Options," *Current Politics and Economics of Northern and Western Asia* 24, no. 2/3 (2015): 334–40.

[13] Dolven et al., 343–44.

Article V of the U.S.-Japan Mutual Defense Treaty as applicable to Japan's disputed Senkaku Islands with China was a direct result of "increasingly blatant Chinese coercion against other claimants in the South China Sea," and that "American policy was reacting to events, not shaping them."[14] Phuong Nguyen claims that U.S. policy interests in the South China Sea became more focused following the 2009 USNS *Impeccable* harassment incident, the submission of China's 9-Dash line map to the Permanent Court of Arbitration, and its island building campaign between 2013 and 2015.[15] Toshi Yoshihara and James Holmes postulate, when discussing U.S. policy in rebalancing to Asia, that U.S. reactions have always been driven by China and that it is in America's interest to more aggressively compete with China from a position of strength.[16]

This theory is worth pursuing because ample data may exist that can correlate changes in U.S. policy positions to specific Chinese activity. If this data is available, then it may be useful in analyzing the effectiveness of U.S. policy actions in deterring PRC aggressiveness, and it may also help convince allies and partners of the intentions behind U.S. policy activity in the South China Sea.

3. Result of Alliance Partner Influence

A third explanation is that U.S. policy can and is influenced by ally and partner nations. In this theory, if small states maximize use of their political clout and increase the relative value of their alliance partnership, they can hold sway over the policies of their larger allies. In 1971, political scientist Robert Keohane wrote an article titled "The Big Influence of Small Allies," which outlined the effect smaller allied countries have on their larger partners. Keohane argued that smaller U.S. allies have not only been able to freely pursue their national interests but have effectively used their alliances with the United

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[14] Michael Green, *By More Than Providence: Grand Strategy and American Power in the Asia Pacific Since 1783* (New York, N.Y.: Columbia University Press, 2017), 528, http://ebookcentral.proquest.com/lib/ebook-nps/detail.action?docID=4784110.

[15] Phuong Nguyen, "Deciphering the Shift in America's South China Sea Policy," *Contemporary Southeast Asia* 38, no. 3 (2016): 397–401, https://doi.org/10.1355/cs38-3b.

[16] Toshi Yoshihara and James R. Holmes, "Responding to China's Rising Sea Power," *Orbis* 61, no. 1 (Winter 2017): 92, https://doi.org/10.1016/j.orbis.2016.12.009.

States to sway U.S. policy and impact U.S. public perception.[17] According to Keohane, small allies succeed in influencing U.S. policy by having a combination of 1) a high degree of flexibility in their "own domestic politics," 2) a supportive policy toward U.S. interests, and 3) an ability to create a mutually dependent relationship with the U.S. government."[18] Those smaller states that are capable of meeting these prerequisites seek out U.S. alliance partnerships because it provides them an avenue to exert sway over U.S. policy interests.

Keohane's argument is supported by contemporary authors including Evan Mederios et al. of the Rand Corporation who analyzed the impact of six current U.S. partner nations on U.S. policies. Mederios and his team found that, with growing security challenges in Asia, the U.S. needs access to the region in order to meet its national objectives. Therefore, the United States will need the cooperation of allies and partners who it has to incentivize for participation regional security goals, and the United States will need to keep up perceptions that it will remain engaged in the region.[19] It follows that the needs and pursuits of American partners and allies will have a shaping effect U.S. policy. Furthermore, these scholars argue that, of their six nation case studies, "all believe that U.S. policy toward China and toward Asia as a whole will have a strong and determining influence on whether China's rise is stabilizing or destabilizing in the region."[20] Accordingly, all of these countries are incentivized to influence the United States' Asia policy so that they can interact with China from a position of assurance by maintaining the U.S. as the primary balancing force in the region.[21]

Bonnie Glaser and David Szerlip conducted a similar study to that of Mederios and the Rand Corporation. Glaser and Szerlip looked at three of the United States' strongest

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[17] Robert Keohane, "The Big Influence of Small Allies," *Foreign Policy*, no. 2 (Spring 1971): 162, https://doi.org/10.2307/1147864.

[18] Keohane, 166–67.

[19] Evan S. Mederios et al., *Pacific Currents: The Responses of U.S. Allies and Security Partners in East Asia to China's Rise* (Santa Monica, CA: Rand Corporation, 2008), 245, http://www.jstor.org/stable/10.7249/mg736af.

[20] Mederios et al., 233.

[21] Mederios et al., 233–34.

alliance partnerships in Asia—Japan, South Korea, and Australia—and concluded that these countries have "opted to strengthen ties with the U.S. military, seeing this as the best—and cheapest—way to defend their national interests."[22] Glaser and Szerlip's data shows that their case study nations are behaving as Keohane expected by creating a fundamentally strong relationship with U.S. government institutions, specifically the U.S. military, in order to have influence over U.S. regional behavior. These countries are strongly incentivized to keep the direction of U.S. policy at the center of their national strategy because they rely on their alliance to counterbalance their own domestic defense inadequacies.[23]

This alliance-partner influence theory is worthy of further investigation because of the two policy changes being assessed in this thesis, both are associated with multiple U.S. allies and partners who have concerns or interests tied to the outcome. If adequate information exists to show that allied and partner nations have a significant impact on U.S. policy changes then there may be other implications for the important role that U.S. alliances will play in future U.S.-Chinese competition in Asia.

4. Result of Personality Politics

A fourth explanation, which will not be further investigated by this paper, is that current U.S. policy changes have been driven by the personality politics of Washington and domestic forces. Here, scholars tend to focus on the Trump presidency's deviation from previous U.S. support for the global liberal international order towards more nationalistic and populist ideals. Mark Beeson characterized the Trump administration's approach to foreign policy as shaped by the president's previous experience in business. Policy actions were therefore marked by a "transactional" business-like behavior, which was nationalistic and appeared intentionally anti-global in nature as a result of Trump's

[22] Bonnie S. Glaser and David Szerlip, "U.S. Allies Respond: Japanese, Australian, and South Korean Reactions to China's Military Modernisation," *China Perspectives*, no. 4 (2011): 17.

[23] Glaser and Szerlip, 28.

personal distain for international agreements.[24] Accordingly, U.S. policy changes—globally and not just in reference to Asia or the South China Sea—were the result of the Trump administration's disregard for the tools of globalization that had backed American power. In placing national priorities above all else, U.S. foreign policy could break from traditional patterns of behavior and take on a more personality driven approach.

Tow supports a conceptualization of U.S. foreign policy driven by aspects of personality politics. Similar to Beeson, Tow assesses that the Trump administration's foreign policy is derived from "his background in the business world—'hard but fluid bargaining to derive optimal results for interests-based objectives'."[25] He categorizes the Trump administration's foreign affairs agenda as "driven by the pursuit of those domestic economic and political objectives" that the president viewed essential to supporting his America-first agenda.[26] Lowell Dittmer reaches the same conclusion in that he attributes most of Trump's behavior to his personal and professional development before becoming president. He credits Trump's policy behavior in a large way to his personality traits and experience in business claiming that he "brings at least one unique quirk to the office: an obsession with 'deals'"[27]

While it is highly probable that the personalities and domestic concerns of U.S. administrations play an important role in setting foreign policy agenda, it is too short sighted to consider only those factors when analyzing major changes in U.S. policy towards Asia. This school of thought does not consider external factors such as Chinese military activity or the shift in the global balance of power towards Asia as motivators to change American policy.

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[24] Mark Beeson, "Donald Trump and Post-Pivot Asia: The Implications of a 'Transactional' Approach to Foreign Policy," *Asian Studies Review* 44, no. 1 (2020): 11, https://doi.org/10.1080/10357823.2019.1680604.

[25] William T. Tow, "U.S.-Southeast Asia Relations in the Age of the Rebalance," *Southeast Asian Affairs*, 2016, 14.

[26] Tow, 10.

[27] Lowell Dittmer, "Trump on China," *Asian Perspective* 41, no. 4 (December 2017): 682, https://doi.org/10.1353/apr.2017.0029.

D. HYPOTHESES

This thesis examines two hypotheses, which provide potential explanations for the major shifts made in U.S. foreign policy with respect to the South China Sea over the past decade. The first hypothesis focuses on U.S. policy changes as reactions to the rise of China and consists of two parts. First, that changes to the U.S. position on South China Sea territorial sovereignty and the applicability of the U.S.–Philippines MDT, have been the result of a reaction to a shift in the global balance of power. The second, and closely related, part of this hypothesis is that these U.S. policy changes are reactions to specific instances of Chinese diplomatic or military belligerence.

My second hypothesis is that United States altered its South China Sea policies towards territorial sovereignty and the U.S.–Philippines MDT because of the desires, needs, and influence of allied nations and partners in Southeast Asia. This hypothesis is based on an idea that U.S. policy makers are motivated to adjust regional behavior at the behest of other nations who have weaker means of their own to effectively support their own policy positions.

E. METHODS AND SOURCES

In order to evaluate the strength of these arguments, I intend to collect, examine, and interpret evidence and analyzed how well it explains why U.S. policy has been adjusted in the South China Sea. The first hypothesis will be supported by evidence such as official statements, documents, testimony, diplomatic policy efforts, military force adjustments, and economic endeavors, as well as by evidence that U.S. policy changes are timed in response to Chinese military or diplomatic activity. Any evidence that appears to relate U.S. policy actions to domestic political factors unrelated to a China-centric explanation will weaken this argument.

The second hypothesis will be supported by any evidence that directly links U.S. policy changes to formal or informal requests by allies, official statements, documents, and testimony citing allies as a rational for U.S. action, and by any dialogue between key leaders of U.S. partner nations that emphasizes the importance of these or similar policy

actions. Additionally, any evidence that indicates U.S. policy changes are timed in response to pressure from ally and partner nations would also support this hypothesis.

F. MAIN FINDINGS AND ORGANIZATION

My main findings are that the U.S. policy changes on territorial sovereignty and the U.S.–Philippines MDT are both reactions by the United States to the changing balance-of-power that favors China. Additionally, the timing of the sovereignty policy change has been driven by a recent series of aggressive Chinese activity in the South China Sea. Furthermore, the U.S.–Philippines MDT change has been spurred by pressure from the Philippines government seeking assurance of U.S. regional commitment.

This thesis is composed of four subsequent chapters. Chapter II attempts to prove that substantive changes in U.S. policy have in fact taken place regarding both the U.S. position on the sovereignty of South China Sea disputed island features, and the U.S. position on the applicability of its MDT with the Philippines. Chapter III focuses on investigating the first set of possible explanation for U.S. policy changes—that they result from 1) attempts to mitigate the waning of American global influence and power, or 2) that they are reactions to China's more aggressive behavior. Chapter IV analyzes the second explanation, that U.S. policy changes have been largely affected by the influence and demand from allies and partners for a more aggressive American stance in the South China Sea. Chapter V provides the conclusion for this thesis, the merits of the explanations, and discusses the potential implications for the future of U.S. policy in the South China Sea.

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II. EVOLUTION OF U.S. SOUTH CHINA SEA POLICY AREAS

A. INTRODUCTION

Over the past thirty years the policies of the United States government regarding the South China Sea have undergone a series of subtle and direct changes. While the disputed islands and low-tide features fall under multiple policies areas, this chapter will focus on identifying the evolution of two areas in U.S. policy in particular. First, the evolution of U.S. policy with respect to territorial sovereignty and second, the application of the U.S.–Philippines Mutual Defense Treaty to disputed island features. Adjustments in both statements and documents published by executive branch and State Department leadership with respect to the South China Sea show that these policies have been adjusted and, in some cases, changed abruptly.

In order to show the evolution of the policy areas of sovereignty and defense treaties, this chapter will trace the history of U.S. policy regarding the sovereignty dispute over South China Sea island and low-tide features starting from the formalization of the policy in the post-Cold War era. Second, the evolution of U.S. policy regarding the application of the U.S.–Philippines MDT with respect to the South China Sea will be assessed beginning with a brief overview of its origin during the Cold War. The lineage of these two policy areas will be drawn out through reference to historical and contemporary policy documents with the purpose of identifying and isolating key policy changes. This will then allow subsequent chapters to focus on the discussion of why such changes occurred and attempt to explain them.

The U.S. positions on sovereignty claims and defense treaty application are utilized as the primary focuses of this analysis because they are both highly visible to the international community and have the potential to profoundly impact the possibility of future conflict in Southeast Asia. U.S. policy with respect to sovereignty over disputed features in the South China Sea is something that became formalized in the post-Cold War as interactions between competing claimant nations increased in both intensity and potential for escalation. Clarification of U.S. policy with respect to the application of its

U.S.–Philippines MDT in the South China Sea was, for the most part, intentionally avoided until almost the end of the Trump presidency.

B. SOVEREIGNTY

1. U.S. Policy on Territorial and Maritime Sovereignty

In the case of the South China Sea, the United States established an early precedent of intentional neutrality with respect to the individual claims of nations on disputed territorial features. As far as official policy statements show, the United States refrained from directly establishing or clarifying any specific policy with respect to the South China Sea until 1995 when the U.S. State Department issued a press release in reaction to a growing People's Republic of China presence on disputed features in the South China Sea. Specifically, PRC expansion onto several contested island and low-tide features that are inside the Philippines' claimed Exclusive Economic Zone triggered the need for the U.S. to formally establish its position regarding the myriad of claims in the Spratly Islands.

The U.S. policy established by this State Department press release marked the first official position in the post-Cold War era that the U.S. took with respect to the South China Sea. At the time, the United States had just undergone a significant reduction in its Navy and Air Force readiness in the Western Pacific with the closure of Subic Bay Naval Base and Clark Air Force Base in the Philippines. The policy was delivered in a press release vice a more official policy document indicating the low level of importance of Southeast Asian policy in the mid-1990s. The policy statement had five key components that established the precedent for U.S. South China Sea policy. The first section of the statement read that, "The United States strongly opposes the use or threat of force to resolve competing claims and urges all claimants to exercise restraint and to avoid destabilizing actions," establishing a stance against a resolution via use of force to the dispute.[28] The next point of the statement read that, "the United States calls upon claimants to intensify

[28] Christine Shelly, "U.S. Department of State Daily Press Briefing" (Daily Press Briefing, U.S. Department of State Daily Press Briefing, Washington, DC, May 10, 1995), https://web.archive.org/web/20170210014941/http://dosfan.lib.uic.edu/ERC/briefing/daily_briefings/1995/9505/950510db.html.

diplomatic efforts which address issues related to the competing claims, taking into account the interests of all parties, and which contribute to peace and prosperity in the region. The United States is willing to assist in any way that the claimants deem helpful. The United States reaffirms its welcome of the 1992 ASEAN Declaration on the South China Sea."[29] This established that U.S. policy would adhere to diplomatic solutions to the territorial disputes, and that the United States would assist in resolving the problem peacefully if asked. The third portion of the press release stated that "maintaining freedom of navigation is a fundamental interest of the United States. Unhindered navigation by all ships and aircraft in the South China Sea is essential for the peace and prosperity of the entire Asia-Pacific region, including the United States."[30] This portion of the press release effectively reaffirmed the importance of free and open navigation of the high seas, particularly in the South China Sea, and that claims by individual nations would not stop American transit of those areas. Finally, the press release touched on the issue of sovereignty saying, "the United States takes no position on the legal merits of the competing claims to sovereignty over the various island, reefs, atolls, and cays in the South China Sea. The United States would, however, view with serious concern any maritime claim or restriction on maritime activity in the South China Sea that was not consistent with international law, including the 1982 United Nations Convention on the Law of the Sea."[31] Effectively, the United States refused to take the legal side of one contestant in the South China Sea dispute over another, but retained its right to an opinion should a contestant overstep its bounds in the dispute in a way that violated the principles of UNCLOS. It is this last section of the 1995 statement that has been significantly altered in the twenty-six years since it was written.

This State Department press release established a precedent of U.S. neutrality with respect to sovereignty claims in the South China Sea. The five points that it laid out regarding sovereignty, use of force, diplomacy, freedom of navigation, and consistency with UNCLOS would remain relatively unchanged for the latter half of the 1990s into the

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[29] Shelly.

[30] Shelly.

[31] Shelly.

early 2000s. In 2001, United States' attention was drawn again to the South China Sea when the PRC and U.S. naval air forces became embroiled over the EP-3 Hainan Island incident. As of September 2001, the United States maintained "strict neutrality" and continued to refuse comment on the merits of any of the involved nation's claims.[32] The first changes to this policy came in 2009 at the beginning of the Obama administration when a slew of international engagements with ASEAN and other Southeast Asian nations led to a gradual redefinition of the neutrality that was laid out in the original 1995 policy.

2. Changes in the Concept of Neutrality, Philippines UNCLOS Arbitration, and Limits of the Sea

Beginning in 2009, the Obama administration started a series of statements and actions that adjusted the precedents established by the 1995 State Department policy from neutrality on sovereignty to a qualified position based in legalism. The first adjustments to policy revolved around adjusting the concept of strict neutrality that had been originally laid out. According to Chen Cihang of the South China Sea Strategic Situation Probing Initiative, the U.S. government "narrowed the scope of 'neutrality' set forth in the 1995 policy statement" from having no stance on any of the legal claims in the South China Sea "to taking no position on the sovereignty over various islands and reefs," while starting "to take a clear position on the maritime claims of all claimants."[33] Statements made by the various members of State Department leadership support Chen's claim. In July of 2009, the Deputy Assistant Secretary for the Bureau of East Asian and Pacific Affairs, Scot Marciel, testified before the Senate Foreign Relations Committee that U.S. policy remained neutral when taking "sides on the competing legal claims over territorial sovereignty in the South China Sea."[34] However, he went on to clarify that, although the United States did

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[32] Dana Dillon, "How the Bush Administration Should Handle China" (The Heritage Foundation, September 5, 2001), https://www.heritage.org/node/19181/print-display.

[33] Cihang Chen, "Changes of U.S. Stance on the South China Sea Issue Since 2009," Analysis Report (South China Sea Strategic Situation Probing Initiative, May 27, 2020), http://www.scspi.org/en/dtfx/1590569799.

[34] *Maritime Issues and Sovereignty Disputes in East Asia: Statement Before the Subcommittee on East Asian and Pacific Affairs*, Senate, 111th Cong. 1 (2009), https://2009-2017.state.gov/p/eap/rls/rm/2009/07/126076.htm.

not support sovereignty claims to physical land features and their territorial seas, the United States was opposed to "claims to 'territorial waters' or any maritime zone that were not derived from a land territory."[35] This statement implied that the United States would take a stronger stance against nations that made claims to maritime territories that were not in line with international law as upheld by UNCLOS. Marciel did go on to uphold the other points of the original 1995 policy, including the opposition to the use of force to resolve sovereignty disputes and the desire to "see a resolution in accordance with international law, including the UN Convention on the Law of the Sea."[36] This new, more active form of neutrality was reiterated during Secretary of Defense Robert Gates' comments at the 9th IISS Asia Security Summit Shangri-La Dialogue in June of 2010. Gates's stated that U.S. policy remained clearly in support of "stability, freedom of navigation, and free and unhindered economic development," while stating that the U.S. opposed "the use of force and actions that hinder freedom of navigation."[37]

At the 17th ASEAN Regional Forum (ARF) in Hanoi Vietnam on July 23, 2010, Secretary of State Hillary Clinton used the opportunity to further clarify the United States' position to the international community. Her remarks reinforced the adjustment in the U.S. stance away from strict neutrality and closer towards an active opposition to claims that were made not "in accordance with the UN convention on law of the sea."[38] Furthermore, Secretary Clinton urged that "legitimate claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features".[39] As opposed to the completely neutral policy laid out in 1995, the U.S. administration had now clarified its previous statement so that the United States could take a position on maritime claims

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35 Senate. *Statement Before the Subcommittee on East Asian and Pacific Affairs*

36 Senate. *Statement Before the Subcommittee on East Asian and Pacific Affairs*

37 Robert M. Gates, *First Plenary Session: Strengthening Security Partnerships in the Asia-Pacific* (Singapore: International Institute of Strategic Studies, 2010), https://web.archive.org/web/20100804080416/http://www.iiss.org/conferences/the-shangri-la-dialogue/shangri-la-dialogue-2010/plenary-session-speeches/first-plenary-session/robert-gates/.

38 Hillary R. Clinton, *Remarks at Press Availability* (Hanoi, Vietnam: ASEAN, 17th ASEAN Regional Forum, 2010), //2009-2017.state.gov/secretary/20092013clinton/rm/2010/07/145095.htm.

39 Clinton.

without directly picking a side regarding the legality of any individual territorial claim. This is a subtle but important shift because the U.S. loosened its neutrality with respect to taking sides on territorial disputes by emphasizing the need for claims to be made in accordance with UNCLOS and positioned itself against maritime claims that were not derived from UNCLOS. Of additional importance is that while the myriad of individual claims made by nations involved in the territorial dispute were disputable, this change appeared directed at the ambiguous maritime claims made by the PRC.

Between 2010 and 2013 the United States continued to maintain a policy of territorial neutrality while emphasizing its desire to see all claims clarified with respect to UNCLOS, which the Obama administration worked diligently but unsuccessfully to ratify through the United States Congress. In January 2013, the Republic of the Philippines took legal action against the PRC at the Permanent Court of Arbitration (PCA) in the Hague, Netherlands in order to challenge China's territorial claims in the South China Sea under UNCLOS.[40] During the three years that it took the PCA to reach an award with respect to its arbitration, the Obama government continued to direct U.S. policy away from a neutral stance. In February of 2014, Daniel Russel, the Assistant Secretary of State for East Asian and Pacific Affairs testified before a congressional subcommittee that the United States took "a strong position that maritime claims must accord with customary international law. This means that all maritime claims must be derived from land features and otherwise comport with the international law of the sea … we certainly believe that claims in the South China Sea that are not derived from land features are fundamentally flawed."[41] In March of 2014 the U.S. State Department issues a press release that affirmed its support for the Philippines' arbitration case stating that "we hope that this case serves to provide

[40] The South China Sea Arbitration: The Republic of Philippines v. The People's Republic of China, No. 2013-19 (Permanent Court of Arbitration, The Hague July 12, 2016). https://pca-cpa.org/en/cases/7/.

[41] *Maritime Disputes in East Asia: Testimony Before the House Committee on Foreign Affairs*, House Committee on Foreign Affairs, Washington DC, February 5, 2014, https://2009-2017.state.gov/p/eap/rls/rm/2014/02/221293.htm.

greater legal certainty and compliance with the international law of the sea."[42] In a joint press conference with President Benigno Aquino in April of 2014, President Obama stated his support for the Philippines' pursuance of "arbitration concerning territorial disputes in the South China Sea."[43] The president went on to clarify that the reason for U.S. support stemmed from opposition to the "coercion and intimidation" used by other nations to resolve the disputes.[44] In December of 2014, the State Department published Limits in the Seas document number 143 titled China: Maritime Claims in the South China Sea, which speculated heavily on the legality of China's territorial and maritime claims in the South China Sea with respect to UNCLOS but did not reaching a conclusion on their legitimacy[45] In July of 2016, following the PCA's ruling in favor of the Philippines's in the South China Sea, the State Department's Bureau of Public Affairs released a press statement that supported the PCA's findings, and called the ruling "an important contribution to the shared goal of a peaceful resolution to disputes in the South China Sea."[46]

The multitude of press releases and public statements made between 2009 and 2016 by the Obama administration changed the strict concept of neutrality that was laid out in 1995. By clarifying that the United States did find merit with those claims made in accordance with UNCLOS and by clarifying that the United States would take a position against maritime claims while remaining "neutral" on territorial sovereignty, the ambiguously neutral stance laid out in 1995 was whittled away a piece at a time. By the

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[42] Statement by the Deputy Department Spokesperson, Office of the Spokesperson, *Philippines: South China Sea Arbitration Case Filing* (U.S. Department of State, 2014), https://2009-2017.state.gov/r/pa/prs/ps/2014/03/224150.htm.

[43] Office of the Press Secretary, *Remarks by President Obama and President Benigno Aquino III of the Philippines in Joint Press Conference* (Manila, Philippines: The White House, 2014), https://www.state.gov/remarks-with-philippine-foreign-secretary-teodoro-locsin-jr/.

[44] Office of the Press Secretary.

[45] Office of Ocean and Polar Affairs, *China: Maritime Claims in the South China Sea*, Limits in the Seas 143 (Washington, DC: Bureau of Oceans and International Environmental and Scientific Affairs, U.S. Department of State, 2014), https://2009-2017.state.gov/e/oes/ocns/opa/c16065.htm.

[46] John Kirby, "Decision in the Philippines-China Arbitration" (Bureau of Public Affairs, U.S. Department of State, July 12, 2016), https://2009-2017.state.gov/r/pa/prs/ps/2016/07/259587.htm.

end of the Obama presidency, U.S. policy appeared far less neutral than it had twenty-two years before.

3. The Trump Administration's Change in U.S. South China Sea Policy

On 13 July 2020, Secretary of State Michael Pompeo released the U.S. Position on Maritime Claims in the South China Sea. In this statement, Secretary Pompeo declared, "Beijing's claims to offshore resources across most of the South China Sea are completely unlawful, as is its campaign of bullying to control them."[47] The secretary of state also said that the PRC had "no coherent legal basis for its 'Nine-Dashed Line' claim in the South China Sea" and reiterated support for the PCA's ruling which had rejected the PRC's claims and ruled in favor of the Philippines from 2016. Furthermore, Pompeo expressed that the U.S. was clarifying its position in order to align with the 2016 tribunal decision, specifically that the PRC had "no lawful territorial or maritime claim" to features such as Mischief Reef, Second Thomas Shoal, Vanguard Bank, Luconia Shoals, Natuna Besar, and James Shoal.[48] Importantly, the key difference between this Trump administration policy and the Obama administration policy is that this statement marked a complete break with any pretense of neutrality regarding individual territorial and sovereignty claims that had previously been maintained.

C. U.S.–PHILIPPINES MUTUAL DEFENSE TREATY

1. Initial Application of the U.S.–Philippines Mutual Defense Treaty

Similar to the sovereignty case, a discernable change in the U.S. policy position on the application of its U.S.–Philippines Mutual Defense Treaty in the South China Sea is observable. The United States established an early desire to refrain from clarifying the applicability of U.S. military intervention in the South China Sea on the Philippines behalf. The original text of the U.S.–Philippines MDT signed on 30 August, 1951 stated in Article IV that "each party recognizes that an armed attack in the Pacific Area on either of the

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[47] Michael R. Pompeo, "U.S. Position on Maritime Claims in the South China Sea" (U.S. Department of State, July 13, 2020), https://www.state.gov/u-s-position-on-maritime-claims-in-the-south-china-sea/.

[48] Pompeo.

Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes."[49] The applicability of this statement was clarified in the subsequent Article V which stated, " For the purpose of Article IV, an armed attack on either of the Parties is deemed to include an armed attack on the metropolitan territory of either of the Parties or on the island territories under its jurisdiction in the Pacific or on its own armed forces, public vessels or aircraft in the Pacific."[50] Although Article V states that U.S.–Philippines mutual defense applied to island territories, it was initially ambiguous whether or not mutual defense would apply to the Philippines' territorial claims in the South China Sea.

In January of 1974, as the Vietnam War ended, the PRC defeated the South Vietnamese in a brief battle and occupied the Paracel Islands.[51] This sparked concern amongst Republic of the Philippines leadership that the Chinese might make a military move to consolidate their claims in the Spratly Islands. At the time the American Ambassador to the Philippines requested guidance from Secretary of State Henry Kissinger regarding whether or not the MDT would apply if Philippine forces in the Spratlys came under PRC attack.[52] During a staff meeting on 31 January, 1974, Kissinger discussed the concern over invoking the MDT with respect to the Spratly Islands and said that the U.S. would not invoke the MDT but simultaneously refused to clarify the applicability of the treaty with respect to disputed islands.[53] Five months after the Paracel Islands incident the

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[49] U.S. Congress, House, "Treaty Provisions Relating to the Use of United States Forces for Mutual Defense" (84th U.S. Congress, House Committee on Foreign Affairs, December 27, 1956), 24, https://congressional.proquest.com/congressional/result/pqpresultpage.gispdfhitspanel.pdflink/$2fapp-bin$2fgis-congresearch$2f6$2fd$2f3$2fa$2fcmp-1956-foa-0004_from_1_to_102.pdf/entitlementkeys=1234%7Capp-gis%7Ccongresearch%7Ccmp-1956-foa-0004.

[50] U.S. Congress, House, 24–25.

[51] Jay H. Long, "The Paracels Incident: Implications for Chinese Policy," *Asian Affairs* 1, no. 4 (April 1974): 229.

[52] Office of the Historian, "Telegram 998 From the Embassy in the Philippines to the Department of State: Philippine Position with Respect to Spratly Islands" (U.S. Department of State, January 26, 1974), https://history.state.gov/historicaldocuments/frus1969-76ve12/d325.

[53] Office of the Historian, "Minutes of the Secretary of State's Staff Meeting, Washington, January 31, 1974" (U.S. Department of State, January 31, 1974), https://history.state.gov/historicaldocuments/frus1969-76ve12/d327.

State Department had yet to clarify its position on the applicability of the U.S.–Philippines MDT and the secretary of state went so far as to order the U.S. ambassador to the Philippines to cease and desist any further discussion with the Philippines regarding the applicability of the defense treaty.[54] This position of intentional ambiguity with respect to the applicability of the U.S.–Philippines MDT was maintained by the various other administrations through the end of the Cold War.

2. Continued Ambiguity in the U.S.–Philippines Mutual Defense Treaty

Following the end of the Cold War, U.S. policy continued to be intentionally ambiguous when it came to the application of the U.S.–Philippines MDT with respect to disputed territories in the South China Sea. The Clinton administration maintained this stance through its entire presidency and refused to clarify its position even though the PRC expanded its occupation in the Spratly Islands to include Mischief Reef. In a publication of the Manila Standard newspaper from February 1995, Republic of the Philippines President Fidel Ramos was paraphrased as saying that he expected the United States to intervene militarily in its dispute over the Spratly Islands with China should a shooting war start.[55] Ramos was quickly countered by his Foreign Secretary Roberto Romulo who postulated that the U.S.–Philippines MDT "does not bind the United States to come to the defense of the Philippines in case of armed conflict" in the Spratly Islands.[56] From the perspective of the Foreign Secretary the MDT covered "only to the 'metropolitan territory' of which Kalayaan [the Spratly Islands] is not a part."[57] President Clinton adeptly dodged any specific commitment to invoking the MDT to assist the Philippines by voicing to President Ramos that the "United States will not allow the use of force to solve the dispute

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[54] Office of the Historian, "Minutes of the Secretary of State's Staff Meeting, Washington, May 9, 1974" (U.S. Department of State, May 9, 1974), https://history.state.gov/historicaldocuments/frus1969-76ve12/d330.

[55] Fel V. Maragay, "Ramos, Romulo View Status of Spratlys Dispute," *Manila Standard*, February 23, 1995, sec. East Asia, 1.

[56] Maragay, 2.

[57] Maragay, 2.

in the Spratlys."[58] In May of 1995, at the same State Department press meeting that clearly defined the U.S. position of neutrality with respect to sovereignty issues, the State Department spokesperson avoided linking any application of the MDT to the potential maritime conflicts regarding the Spratly Islands.[59]

The intentional ambiguity of the MDT and the Spratly Islands continued through the George W. Bush administration. Unlike the 1990s, when the PRC occupation of Mischief Reef and the Taiwan Strait Crisis had taken the attention of the Clinton administration, the Bush White House was consumed with the Global War on Terror. In the wake of the terrorist attacks on 11 September, 2001, the Bush administration released a joint statement on the status of the U.S.–Philippines MDT which focused its attention on "increased training, exercises, and other joint activities," while emphasizing the agreement's importance "in advancing peace and stability in the Asia Pacific for the past half a century."[60] The Bush administration's bilateral relationship with the Philippines focused on the implementation of the Visiting Forces Agreement (VFA), Muslim insurgency in the southern Philippines, and the scandal-ridden change in Philippines leadership from President Joseph Ejercito Estrada to President Gloria Macapagal Arroyo.[61] No additional clarification to the applicability of the MDT with respect to the South China Sea territories was made during the Bush presidency.

During the Obama administration there was no further clarification on "the circumstances under which the U.S. armed forces would intervene on behalf of the Philippines," even though renewed PRC activity in island building and militarization came

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[58] Maragay, 2.

[59] Shelly, "U.S. Department of State Daily Press Briefing."

[60] George Bush White House Archives, "U.S.-Philippine Joint Statement on Defense Alliance" (The White House, November 20, 2001), https://georgewbush-whitehouse.archives.gov/news/releases/2001/11/text/20011120-14.html.

[61] *U.S.-Philippine Relations: Opportunities to Enhance Our Enduring Partnership: Testimony before the Senate Foreign Relations Committee Subcommittee on East Asian and Pacific Affairs*, Senate, 107th Cong. 1 (2001), n.d.

to a peak during that time frame.[62] The continued intentional ambiguity of the Obama administration is evidenced by the request of Senator Jim Webb, Chairman of the East Asian and Pacific Affairs Subcommittee, to the State Department asking for clarification on "U.S. treaty commitments to come to the aid of the Philippines in light of recent reports of China's use of force in the South China Sea."[63] Further support for continued ambiguity came during a 2014 press conference between President Obama and President Aquino III in Manila when President Obama was directly asked whether or not the United States would "defend the Philippines in case the territorial dispute with China … becomes an armed conflict?"[64] President Obama avoided answering that question, instead relying on a reiteration of U.S. support for the respect of "international rules and norms," opposition to "coercion and intimidation," and support for the Philippines arbitration case at the Hague.[65] In 2016, as tensions increased over Chinese island building and refusal to acknowledge the PCA's ruling in favor of the Philippines, the United States avoided clarifying the applicability of its MDT with the Philippines even though both the U.S. and Philippines governments reinforced their commitment to the defense alliance.[66]

3. Trump Administration's Clarification of the MDT

The intentional ambiguity of the 1951 MDT was altered in a March 2019 press availability between Secretary of State Pompeo and the Philippines Foreign Secretary Teodoro Locsin. In a clear break with previous avoidance of whether or not the MDT would apply to the Philippines' claims in the South China Sea, Secretary Pompeo stated, "China's

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62 Thomas Lum, "The Republic of the Philippines and U.S. Interests" (Washington, DC: Congressional Research Service, April 5, 2012), 28, https://fas.org/sgp/crs/row/RL33233.pdf.

63 The Office of U.S. Senator Webb, "Senator Webb to State Dept.: Clarify U.S.–Philippines Mutual Defense Treaty Commitments" (The Office of U.S. Senator Jim Webb, July 20, 2011), http://web.archive.org/web/20130102102906/http://webb.senate.gov/newsroom/pressreleases/07-20-2011-04.cfm.

64 Office of the Press Secretary, *Remarks by President Obama and President Benigno Aquino III of the Philippines in Joint Press Conference*.

65 Office of the Press Secretary.

66 Office of the Spokesperson, "Sixth United States-Philippines Bilateral Strategic Dialogue Joint Statement" (U.S. Department of State, March 18, 2016), //2009-2017.state.gov/r/pa/prs/ps/2016/03/254833.htm.

island-building and military activities in the South China Sea threaten your sovereignty, security and therefore economic livelihood, as well as that of the United States. As the South China Sea is part of the Pacific, any armed attack on Philippine Forces, aircraft, or public vessels in the South China Sea will trigger mutual defense obligations under Article 4 of our Mutual Defense Treaty."[67] Secretary Pompeo's remarks committed to triggering the MDT in the event that Philippine military, aircraft, or civilian vessels are attacked marks a direct break with previous hesitancy to act in direct support of Philippine interests in the South China Sea. The multitude of fishing vessels and military outposts held by the Republic of the Philippines and spread throughout the Spratlys leaves little possibility that an attack on a contested feature claimed by the Philippines would not trigger the MDT.

Interpreting Secretary Pompeo's statement leads to the possibility that future Chinese belligerence at or near contested South China Sea features should, at the very least, result in consultations between the United States and the Philippines as to whether or not the MDT should be triggered. This updated position on the scope of the MDT was reiterated in a joint Philippines-U.S. statement from the Department of Defense in November 2019, in which Secretary of Defense Mark Esper reiterated Secretary Pompeo's statement that the MDT applied "to the entire Pacific region, including the South China Sea."[68] In the case of the U.S.–Philippines MDT, the Trump administration's statements in March and November 2019 mark a clear break with previous intentional ambiguity in the U.S. policy with regards to the MDT and the South China Sea dispute.

D. SUMMARY OF MAJOR CHANGES

In the policy areas of South China Sea sovereignty and the application of the U.S.–Philippines MDT, there have been two major policy changes made by administrations since

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[67] Michael R. Pompeo, *Remarks with Philippine Foreign Secretary Teodoro Locsin, Jr. at a Press Availability* (Manila, Philippines: U.S. Department of State, 2019), https://2017-2021.state.gov/remarks-with-philippine-foreign-secretary-teodoro-locsin-jr/index.html.

[68] U.S. Department of Defense, "Philippines, U.S. Joint Defense Statement" (U.S. Department of Defense, November 19, 2019), https://www.defense.gov/Newsroom/Releases/Release/Article/2020089/philippines-us-joint-defense-statement/.

the end of the Cold War. The first change regarding the position of neutrality on the legal merits of individual claims in the South China Sea started subtly during the Obama administration. That change was the adjustment from strict neutrality in reference to the legal merits of all claimants to taking a new position against claims not made in accordance with UNCLOS or tied to legitimate control of land features. Further clarification of this change came during the Trump administration when the State Department commented directly on the merits of China's legal claims, taking a strong stance in opposition to them.

Regarding the applicability of the U.S.–Philippines Mutual Defense Treaty there has been one major change that has occurred since the end of the Cold War. Until 2019 every U.S. administration had avoided clarifying the scope of the U.S.–Philippines MDT in regard to conflict in the South China Sea, even as Chinese island reclamation and militarization reached a zenith in 2015. Secretary Pompeo's statements from March of 2019 made it clear that the Trump administration viewed further PRC aggression in the Spratly Islands against the Philippines as a legitimate reason to trigger Article IV of the 1951 agreement, a position that had been avoided since the closing days of the Vietnam War. Having established that there were distinct policy changes in the areas of sovereignty and defense treaty application, the next portion of this research will attempt to answer why these changes happened when they did and what the implications of the changes are for future U.S. diplomatic interactions in Southeast Asia.

III. BALANCE OF POWER, CHINESE ASSERTIVENESS, AND CHANGES IN U.S. POLICY

A. INTRODUCTION

In Chapter II, I described the evolution of two specific policy changes, the first being the United States' transition away from neutrality with respect to South China Sea sovereignty claims and the second being the clarification of the U.S.–Philippines MDT application to the South China Sea. Chapter III will focus on explaining why the United States altered these policies and will do so by investigating two China-centric explanations. The first is that the United States has adjusted its policies in reaction to a changing balance of power. As China's relative power has grown the United States has acted in its own interest to maintain a position of supremacy. The second is that the United States has been forced to adjust its policies in reaction to aggressive Chinese diplomatic and military activity in the South China Sea.

For the first explanation, that the United States is reacting to a changing balance of power vis a vis China, I find strong evidence that a balance of power change with the PRC caused both the U.S. policy change on South China Sea sovereignty and on the applicability of the U.S.–Philippines MDT. For the second explanation, that the United States is reacting to instances of Chinese assertiveness, I come to a different conclusion. There is strong evidence that instances of Chinese assertiveness drove the U.S. policy change on sovereignty. However, there is inadequate evidence to indicate that Chinese assertiveness triggered the U.S. policy change regarding the applicability of its Mutual Defense Treaty with the Philippines.

This chapter will examine and analyze the evidence for both of these explanations. In the first section I will analyze the balance of power reaction explanation, and in the second section I will analyze the PRC actions explanation. In each section I will explain their application to broader U.S. strategic involvement in Asia, evaluate supporting evidence, and then apply their merits to the U.S. decision to change its policies regarding sovereignty and the U.S.–Philippines MDT. I will conclude the chapter with a

determination on the efficacy of both of these arguments as they apply to the changes in U.S. policy and broader U.S. involvement in South China Sea affairs.

B. EXAMINATION OF THE CHANGING BOP EXPLANATION

At its heart, the BOP-shift explanation is that as the United States saw its relative power in Asia declining with respect to China, it acted in an effort to reverse the changing trend in status quo and to maintain regional dominance. This section will use a combination of official government statements, academic analysis, economic information, and military data in order to show the United States' policy activities in Asia have been driven by a need to react to its diminishing influence.

Discussions regarding the longevity of the United States' position as the only global superpower given the rise of China have been a subject of debate for over a decade, particularly following the Global Financial Crisis and the Obama administration's rebalance to the Pacific in the wake of the two U.S. wars in the Middle East.[69] At the end of the 2000s, United States faced a large mismatch in its commitments between its Atlantic and Pacific diplomatic, economic, and military investments. Simultaneously it was suffering from the highly damaging economic fallout caused by the Global Financial Crisis. The mismatch was amplified by a rapidly expanding Chinese economy and PRC military modernization program as the PRC developed into a rival power capable of supplanting U.S. influence in the Far East.

China's, and to a broader extent Asia's, weathering of the Global Financial Crisis increased its strategic importance to the United States, and establish Asia as a region that the United States would compete fiercely for influence over.[70] In a 2011 interview for *Foreign Policy* magazine, then Secretary of State Hillary Clinton claimed that channeling the growing economic power of Asia was "central to American economic and strategic

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[69] Michael Beckley, *Unrivaled: Why America Will Remain the World's Sole Superpower* (New York, N.Y.: Cornell University Press, 2018), 1–2.

[70] Phillip C. Saunders, "China's Rising Power, the U.S. Rebalance to Asia, and Implications for U.S.-China Relations," *Issues and Studies* 50, no. 3 (September 2014): 20.

interests."[71] She also declared that U.S. economic recovery following the challenges of the Global Financial Crisis were hinged on "the ability of American firms to tap into the vast and growing consumer base of Asia."[72] By declaring a rebalance to Asia the United States desired to showcase the higher importance that Asia would play in future U.S. foreign policy, and that the United States was keen "on pursuing expanding U.S. interests in Asia."[73]

1. Discussion

a. Shift in Economic Power

According to Lawrence Lau of the Chinese University of Hong Kong, there has been a "gradual shift of the centre of the center of gravity in the world economy from North America and Western Europe to East Asia" over the past several decades.[74] This shift in economic power has been a source of significant United States political attention, and as U.S. economic power declined specifically relative to China, the U.S. took some efforts to remain economically competitive in Asia. Between 1960 and 2017 the United States' share of global Gross Domestic Product (GDP) fell from 38% to 24%, and Lau credits the loss to the rapidly growing GDPs of East Asian economies.[75] The changing power dynamic became acutely noticeable during the recovery from the Global Financial Crisis of 2008 when a combination of China's foreign currency reserves (a total of USD $2 trillion), massive export market, and effective stimulus package for its domestic markets allowed

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[71] Hillary Clinton, "America's Pacific Century," *Foreign Policy*, no. 189 (December 2011): 56–63.

[72] Clinton.

[73] Saunders, "China's Rising Power, the U.S. Rebalance to Asia, and Implications for U.S.-China Relations," 38.

[74] Lawrence Juenyee Lau, *The China-U.S. Trade War and Future Economic Relations* (Hong Kong: The Chinese University of Hong Kong Press, 2019), 8, http://muse.jhu.edu/book/66204.

[75] Lau, 7.

China to absorb economic blows felt by the West.[76] It was the size of its foreign currency reserves that allowed China to "diversify its economic relationships through loans and investments in other developing states," and created a situation in which the international community was open to reform of the U.S. backed international economic institutions and potentially alteration of the global reserve currency[77]

Chinese GDP growth has been exponential over the past three decades, both in terms of raw U.S. dollars and in percentage growth rate. This has been driven by the rapid increase in Chinese global trade whereas of 2018 it accounted for 12.4% of all global trade, with the United States coming in second at 11.5%.[78] The massive trade surplus enjoyed by China is dominated by its exports to the United States, which consumes almost 20% of all Chinese exports.[79] China's total GDP growth in trillions of U.S. dollars and annual year on percentage since 1989 are shown in Figure 1 and Figure 2.

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[76] Shaun Breslin, "Chapter 2: Chinese Financial Statecraft and the Response to the Global Financial Crisis," in *Unexpected Outcomes: How Emerging Economies Survived the Global Financial Crisis*, ed. Carol Wise, Leslie Elliott Armijo, and Saori N Katada (Washington, DC: Brookings Institution Press, 2015), 31, https://muse.jhu.edu/book/38203/.

[77] Breslin, 31; Yongnian Zheng and Liang Fook Lye, "Chapter 13: The International Financial Crisis and China's External Response," in *China and the Global Economic Crisis*, ed. Yongnian Zheng and Sarah Yueting Tong (Singapore: World Scientific Publishing Company, 2010), 290, https://ebookcentral.proquest.com/lib/ebook-nps/detail.action?docID=731211.

[78] China Power Team, "Is China the World's Top Trader?," *China Power Project* (blog), March 28, 2019, http://chinapower.csis.org/trade-partner/.

[79] China Power Team.

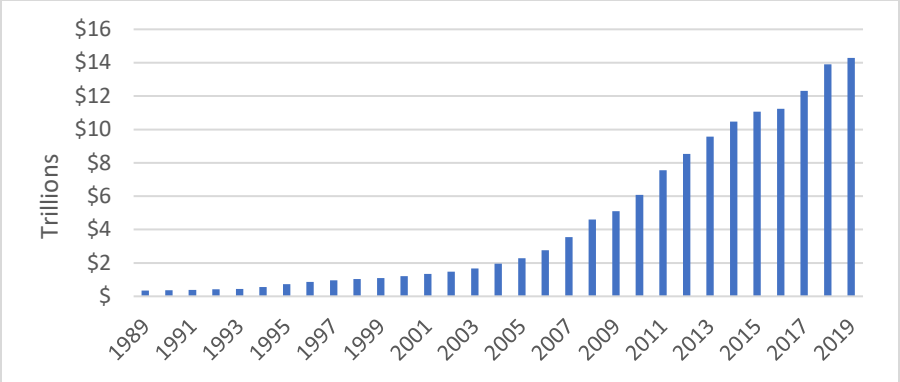

Figure 1. Chinese GDP growth in trillions USD.[80]

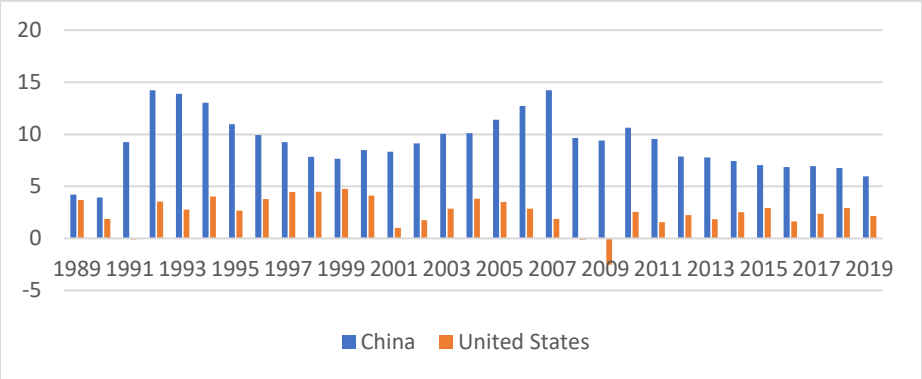

Figure 2. Percentage GDP growth rate: China and U.S.[81]

The United States has also experienced a trade deficit with China of over $300 billion every year since 2011, with the largest deficit coming in at $345.2 billion in 2019.[82] The one-sided trade imbalance has been singled out as one of a number of economic factors, to include allegations of currency manipulation, unfair protection of State-Owned Enterprises, and intellectual-property theft, that triggered U.S. economic reprisals in return.[83]

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[80] Adapted from: The World Bank Group, "World Development Indicators," accessed May 1, 2021, https://databank.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG/1ff4a498/Popular-Indicators#.

[81] Adapted from: The World Bank Group. "World Development Indicators."

[82] US Census Bureau Foreign Trade Division, "Foreign Trade: Data," accessed March 1, 2021, https://www.census.gov/foreign-trade/balance/c5700.html.

[83] Lau, *The China-U.S. Trade War and Future Economic Relations*, 2.

b. Shift in Military Power

In addition to the shift in the economic balance of power in Asia, there has been an accompanying shift in the military balance of power between China and the United States. Even as early as February of 2002, the U.S. Department of Defense received testimony from the director of the Defense Intelligence Agency that placed China at the top of the conventional state actors who presented a major military threat in the future.[84] The testimony included acknowledgement of China's improvements to its military forces, updated technologies, and increased capacity to threaten regional allies and the United States.

China has made significant improvements and expansions to its military forces over the past several decades. Noticeably, the Chinese Peoples' Liberation Army Navy (PLA(N)) has been significantly expanded from a fleet of approximately 130 ships and submarines in the late 1990s to a modernized force of over 335 ships in 2019, surpassing that of the United States with 296 vessels.[85] While numbers alone cannot adequately depict China's naval power, a 2018 testimony from U.S. Navy Admiral Philip Davidson concluded that China was "capable of controlling the South China Sea in all scenarios short of war with the United States."[86] A list of major PLA(N) combatants and their fleet locations is depicted in Figure 3.

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[84] *Global Threats and Challenges: Statement for the Record Senate Select Committee on Intelligence*, 107th Cong. (statement of Vice Admiral Thomas R. Wilson, DIA Director), February 4, 2002, 22–23, http://library.rumsfeld.com/doclib/sp/2486/2002-02-04%20from%20Thomas%20Wilson%20re%20Global%20Threat%20Testimony%20with%20Attachments.pdf#search=%22wilson%22.

[85] China Power Team, "How Is China Modernizing Its Navy?," *China Power Project* (blog), December 17, 2018, http://chinapower.csis.org/china-naval-modernization/.

[86] "Advance Policy Questions for Admiral Philip Davidson, USN Expected Nominee for Commander, U.S. Pacific Command," *Advance Policy Questions for Admiral Philip Davidson, USN Expected Nominee for Commander, U.S. Pacific Command*, 115th Cong (2018) (statement of Admiral Philip Davidson, USN), 18, accessed May 1, 2021, https://www.armed-services.senate.gov/imo/media/doc/Davidson_APQs_04-17-18.pdf.

Figure 3. Major PLA(N) combatants and locations.[87]

[87] Source: Office of the Secretary of Defense, "Military and Security Developments Involving the People's Republic of China 2020" (Washington, DC: Department of Defense, 2020), 49, https://media.defense.gov/2020/Sep/01/2002488689/-1/-1/1/2020-DOD-CHINA-MILITARY-POWER-REPORT-FINAL.PDF.

China has also devoted significant energy to the research and development of Anti-Access/Area Denial (A2/AD) capabilities like the DF-21D medium range ballistic missile. This missile uses a maneuverable reentry vehicle to enhance the accuracy and survivability of its warhead, which makes it a potent threat to U.S. Navy aircraft carriers.[88] The development of high end naval and missile technology has been enabled by China's growing military budget. China's defense expenditures have grown every year for the past decade and nearly doubled during that time to approximately $174 billion in 2019.[89] However, China's actual defense budget is speculated to be even higher than officially reported due to the lack of transparency in the PRC's military expenditures. Figure 4 provides China's officially reported defense funding and an estimate of actual spending from the Stockholm International Peace Research Institute (SPIRI).

[88] China Power Team, "How Are China's Land-Based Conventional Missile Forces Evolving?," *China Power Project* (blog), September 21, 2020, http://chinapower.csis.org/conventional-missiles/.

[89] Office of the Secretary of Defense, "Military and Security Developments Involving the People's Republic of China 2020," 139.

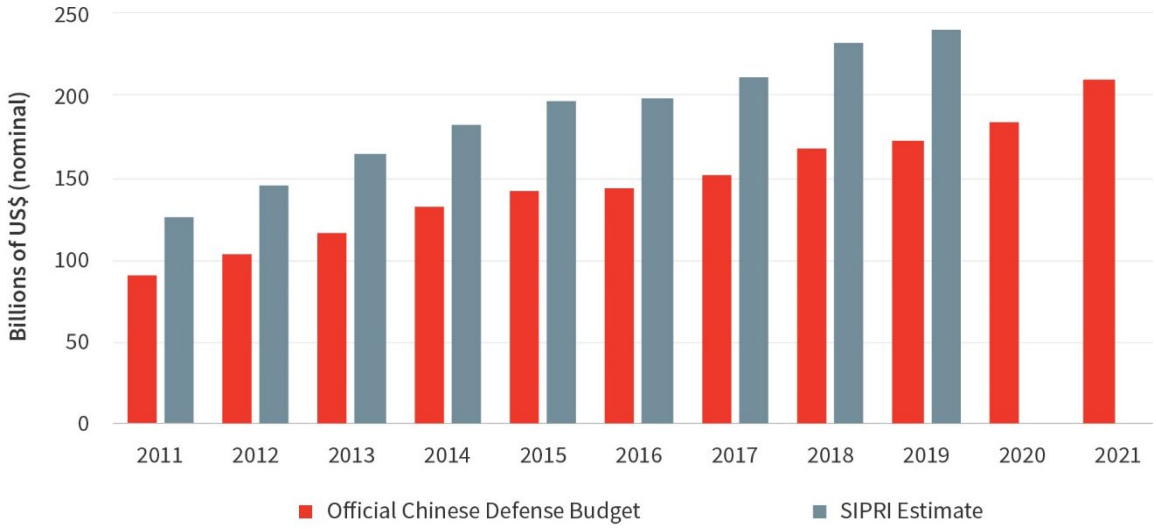

Figure 4. PRC defense spending 2011–2019.[90]

In lieu of these developments the Department of Defense released a new National Defense Strategy (NDS) in 2018, which was the first it has published since 2008.[91] The new NDS listed China as a "strategic competitor" that was using "military modernization, influence operations, and predatory economics …. To reorder the Indo-Pacific to their advantage."[92] Furthermore, the NDS acknowledged that the U.S. military no longer held an outright advantage in any of its operational domains—sea, air, land, space, or cyberspace—with respect to other great powers.[93]

The increase in the number of Chinese naval combatants, the development of advanced ballistic missiles, and the increase in defense budget compared to the United States indicates a relative change in the military balance of power. The United States by comparison has seen its number of naval combatants stagnate or decrease, its forces spread

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[90] Source: Matthew P. Funaiole, Bonnie Chan, and Brian Hart, "Understanding China's 2021 Defense Budget," *Critical Questions: Center for Strategic and International Studies* (blog), March 5, 2021, https://www.csis.org/analysis/understanding-chinas-2021-defense-budget.

[91] Allie Zech, "2018 National Defense Strategy," Homeland Security Digital Library, *On the Homefront - The HSDL Blog* (blog), January 22, 2018, hsdl.org/c/2018-national-defense-strategy/.

[92] Zech, 2.

[93] Zech, 3.

thin to cover combat operations across the globe and has dedicated large portions of its defense budget to supporting wars in the Middle East. New data from the Stockholm International Peace Research Institute indicates that China is catching up to the United States in terms of overall size of its arms industry. Based on new information available about the production of various Chinese arms manufacturers, China has recently surpassed Russia to become the world's second largest arms producer in the world behind the United States.[94] The growth of the size and capability of the Chinese military and the growth of its defense industry pose the most significant threat to U.S. military supremacy since the end of the Cold War.

c. Expansion of Chinese Soft Power

Chinese soft power is the PRC's "ability to influence by persuasion rather than coercion," and is exploited "through various means, including culture, diplomacy, participation in multinational organizations, businesses' actions, and…economic strength".[95] Beginning in the 1970s, China experienced a significant increase in the number of its official foreign relationships as a result of renewed relations with the United States and its entry into the United Nations.[96] Figure 5 shows the increase in Chinese diplomatic relations between 1950 and 2020, with a significant uptick beginning at approximately 1970. During the administrations of Chinese Presidents Hu Jintao and Xi Jinping the PRC refocused its diplomatic efforts towards its neighboring countries in East and Southeast Asia as well as initiated outreach efforts to much of the developing world.[97]

President Xi's flagship project, the Belt and Road Initiative (BRI), which was announced in 2013 was aimed at increasing China's soft power influence through massive

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[94] "New SIPRI Data Reveals Scale of Chinese Arms Industry," Stockholm International Peace Research Institute, January 27, 2020, https://sipri.org/media/press-release/2020/new-sipri-data-reveals-scale-chinese-arms-industry.

[95] Joshua Kurlantzick, "China's Charm: Implications of Chinese Soft Power." (Carnegie Endowment for International Peace, June 2006), 1, carnegieendowment.org/files/PB_47_FINAL.pdf.

[96] China Power Team, "What Do Overseas Visits Reveal about China's Foreign Policy Priorities?," *China Power Project* (blog), March 29, 2021, http://chinapower.csis.org/diplomatic-visits/.

[97] China Power Team.

economic infrastructure and investment projects around the developing world.[98] The BRI is a mega project involving 138 countries, affecting 61% of the global population, and included $6 trillion in trade between BRI countries from 2014 to 2017.[99]

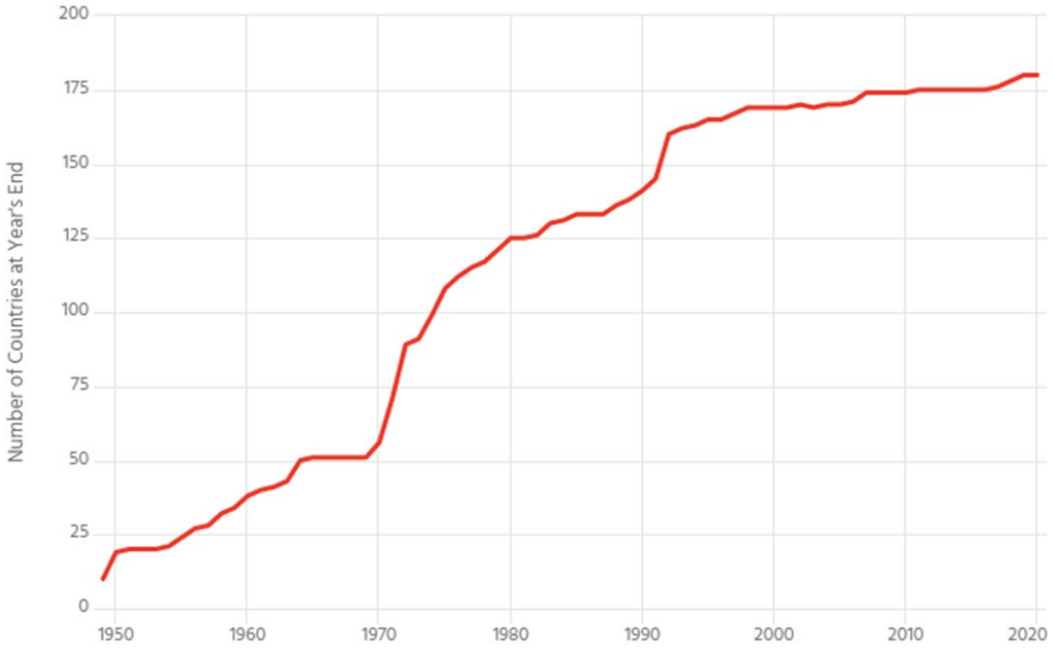

Figure 5. Official Chinese diplomatic relations.[100]

China has also significantly increased its contribution of soldiers to United Nations peacekeeping missions around the world over the past two decades. China surged from just five UN peacekeepers in 1990 to more than 2,500 in 2020, and in 2017 President Xi created an additional reserve force of 8,000 Chinese soldiers earmarked for U.N. peacekeeping purposes.[101] Figure 6 shows Chinese contributions to United Nations peacekeeping forces.

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[98] China Power Team, "How Will the Belt and Road Initiative Advance China's Interests?," *China Power Project* (blog), May 8, 2017, http://chinapower.csis.org/china-belt-and-road-initiative/.

[99] China Power Team.

[100] Source: China Power Team, "What Do Overseas Visits Reveal about China's Foreign Policy Priorities?"

[101] China Power Team, "Is China Contributing to the United Nations' Mission?," *China Power Project* (blog), March 7, 2016, http://chinapower.csis.org/china-un-mission/.

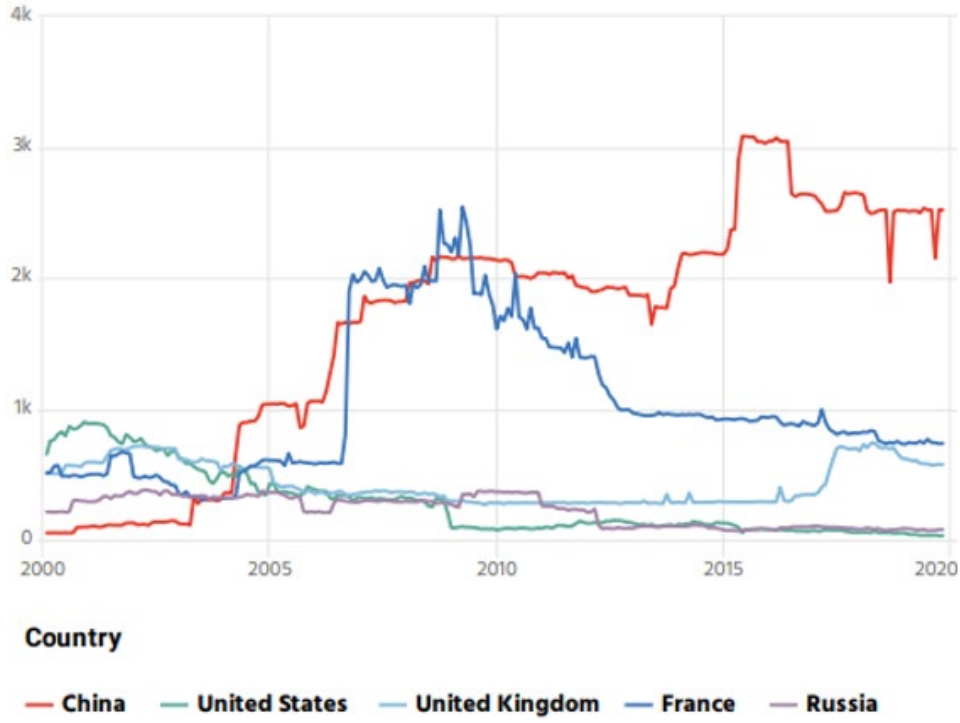

Figure 6. Number of Chinese peacekeepers in thousands.[102]

In addition to its economic development and international organization participation, China has waged a large global information campaign. China has used its vast consumer base, aggressive diplomats, and scores of online netizens to influence and win over global public opinion. The large Chinese consumer base can support or ostracize corporations and individuals who paint China in an unflattering light, as was seen in the 2019 resignation of the Houston Rockets general manager following his comments in support of the Hong Kong democracy protests.[103]

[102] Source: China Power Team.

[103] Matthew Schrader, "China Is Weaponizing Globalization," *Foreign Policy*, June 5, 2020, https://foreignpolicy.com/2020/06/05/china-globalization-weaponizing-trade-communist-party/.

2. Balance of Power and U.S. Policy

a. Assessment of Evidence

Evidence supporting U.S. policy changes as reactions to a balance of power shift driven by Chinese growth in Asia is significant and plentiful. The United States has adjusted its policies across a broad spectrum of economic, security and diplomatic areas in order to maintain global influence. The most often voiced rationale behind these actions—cited increasingly in government hearings, official press statements, and speeches—is that the United States has fallen behind and that China risks displacing the liberal world order created and backed by the United States. The U.S. effort to respond to shifts in the global balance of power is often overshadowed by the disjointed and inconsistent manner in which these policies are enacted as well as changing elected leadership and competing national priorities. The South China Sea, with its obvious Chinese influence and future designs, has become an easy target for U.S. lawmakers to focus competitive energies on. The potential impacts of Chinese control of the South China Sea are seen as exceptionally dire for a status quo balanced in favor of the United States.

In response to the economic, military, and diplomatic changes in the balance of power, the United States has taken a series of actions. In 2018, the United States simultaneously enacting three rounds of tariffs on China that were worth an estimated $250 billion, commenced an investigation into alleged Chinese trade infractions, and sanctioned trade goods as a part of the Trade Act of 1974.[104] The initiation of this trade war was an effort by the Trump presidency to protect the United States' superior economic position by competing directly against China's unfair advantages resulting from its "special and differential treatments" as a developing nation.[105] This policy shift is an intentional change in the U.S.-China economic dynamic from one of tacit cooperation to strategic competition. The aim of this being, "to prevent China from threatening U.S. leadership in the world by

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[104] Lau, *The China-U.S. Trade War and Future Economic Relations*, 2; Xinglong Yang and Shuang Qu, "China-U.S. Trade Friction under Trade Unilateralism and China's Legal Responses," *Contemporary Chinese Political Economy and Strategic Relations* 6, no. 2 (September 2020): 658.

[105] Yang and Qu, "China-U.S. Trade Friction under Trade Unilateralism and China's Legal Responses," 33, 656.

constraining China's behavior and economic growth," by implementing tariffs, limiting high-technology exchanges, and limiting Chinese direct investment in the United States.[106] Besides being focused on maintaining economic preeminence, the trade war was reflective of a broader U.S. challenge to the opposing political system in China and the associated perceived security threat to U.S. technological and defense supremacy.[107]

Less than three months after the February 2002 congressional testimony on the growing Chinese military threat, DOD Director of Net Assessment Andy Marshall provided the secretary of defense a list of "near-term actions … to put in place the initial phase of such a long-term shift in focus" towards the Asia-Pacific.[108] Recommendations in this memorandum included 1) negotiations for U.S. military basing in northern Australia, 2) negotiations for increased port facilities and forward basing in Singapore, and 3) more military-to-military interaction with India.[109] Notably, the recommendations include updating unified campaign plans to "reflect China as principle long-term strategic competitor" and to "increase the focus on China … in Service and Joint wargaming."[110]

In November 2015, then Secretary of Defense Chuck Hagel announced the Defense Innovation Initiative (DII), which was described as a "department-wide initiative to pursue innovative ways to sustain and advance … military superiority for the 21st Century," and cautioned against future adversaries who had been modernizing and creating capabilities aimed to overcome U.S. military advantages.[111] In a speech given on the same day,

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[106] Chi Hung Kwan, "The China-US Trade War: Deep-Rooted Causes, Shifting Focus and Uncertain Prospects," *Asian Economic Policy Review* 15, no. 1 (January 2020): 60, https://doi.org/10.1111/aepr.12284.

[107] Kwan, 55.

[108] Andy Marshall, "Near Term Actions to Begin Shift of Focus Towards Asia" (Department of Defense, May 2, 2002), 1, http://library.rumsfeld.com/doclib/sp/2518/2002-05-02%20from%20Andy%20Marshall%20Near%20Term%20Actions%20to%20Begin%20Shift%20of%20Focus%20Towards%20Asia.pdf#search="China".

[109] Marshall, 1.

[110] Marshall, 2.

[111] Chuck Hagel, "The Defense Innovation Initiative" (official memorandum. Washington, DC: Department of Defense, 2014), 1, archive.defense.gov/pubs/OSD013411-14.pdf.

Secretary Hagel described the need for the Defense Innovation Initiative in light of Chinese advancements in "fielding advanced aircraft, submarines, and both longer range and more accurate missiles" that threatened U.S. military superiority in the Asia-Pacific.[112] The entire premise of this effort was to re-orient military operations, technology, and deployments away from a legacy Middle Eastern land war focus in order to counter what was realized to be a closing gap between Chinese military capabilities and U.S. military supremacy. The major policy shift in this case revolved around the idea of civil-military fusion. Instead of Department of Defense reliance on government research and development, the DII aimed to bring civilian innovation into the military workspace similar to how the PRC incorporated civilian ingenuity into its military enterprise.

On 1 February 2018, the DOD created a new position of Undersecretary of Defense for Research and Engineering (USD for R&E) as part of a reorganization effort aimed at maintaining the U.S. military's technological edge.[113] In congressional testimony on 18 April 2018, Dr. Michael Griffin, the new USD for R&E, acknowledged that his position had been created because of the "erosion of U.S. technological superiority" and that his job was aimed at rapidly prototyping and testing high-end technologies in order to maintain an edge over near peer competitors.[114] Dr. Griffin went on to elaborate that his new department was created in direct response to China's growing advantage in hypersonic-weapons, anti-access and area denial (A2/AD), and its ability to rapidly develop high-end military technology faster than the United States.[115]

Examples of U.S. reactions to Chinese soft power growth include efforts to renew and expand alliance interactions with the Philippines, U.S. support for Japanese Self

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[112] Chuck Hagel, *Secretary of Defense Speech: Reagan National Defense Forum Keynote* (Simi Valley, CA: Reagan National Defense Forum, 2014), defense.gov/Newsroom/Speeches/Speech/Article/606635/.

[113] Aaron Mehta, "Revealed: The New Structure for the Pentagon's Tech and Acquisition Offices," *Defense News*, July 17, 2018, defensenews.com/pentagon/2018/07/17/revealed-the-new-structure-for-the-pentagons-tech-and-acquisition-offices/.

[114] *Hearing to Receive Testimony on Accelerating New Technologies to Meet Emerging Threats*, Senate, 115th Cong. (2018), 7, 9, armed-services.senate.gov/imo/media/doc/18-40_04-18-18.pdf.

[115] Senate, *Accelerating New Technologies*, 13, 14.

Defense Force Expansion, and the re-engagement of the U.S.-India-Japan-Australia quadrilateral engagement otherwise known as the Quad.

In April of 2014, the U.S. and Philippine governments signed the Enhanced Defense Cooperation Agreement (EDCA), which aimed to make closer security engagements between the two countries possible and would "support the alliance and promote peace and security in the region."[116] According to international relations and security expert Renato Cruz De Castro, the creation of the EDCA was "designed to constrain China" and serve as a "high-profile way of demonstrating American strategic clout in the region."[117] One year later, in April 2015, the United States and Japan promulgated new guidelines for U.S.-Japan Defense Cooperation.[118] This was the first time since 1997 that the guidelines for the U.S.-Japan alliance had been updated, and although China was not directly named, the update intended to create closer defense capabilities between Japan and the United States given increasing Chinese regional influence.[119] The State Department claimed that the updated guidelines promoted "a more balanced and effective Alliance to meet the emerging security challenges of the 21st century."[120] In this case, the State Department's wording infers a veiled reference to Chinese power as part of the security challenges concerned.

The United States also responded to the PRC's all-of-government belt and road initiative which is viewed as a strategic threat because it increases "Chinese leverage to shape partner nations' preferences, edge out U.S. influence, and expand Chinese military

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116 "Signing of Enhanced Defense Cooperation Agreement," U.S. Embassy in the Philippines, April 28, 2014, https://ph.usembassy.gov/signing-enhanced-defense-cooperation-agreement/.

117 Renato Cruz de Castro, "The 21st Century Philippine-U.S. Enhanced Defense Cooperation Agreement (EDCA): The Philippines' Policy in Facilitating the Obama Administration's Strategic Pivot to Asia," *The Korean Journal of Defense Analysis* 26, no. 4 (December 2014): 428.

118 Yoshikazu Watanabe, Masanori Yoshida, and Masayuki Hironaka, "The U.S.-Japan Alliance and Roles of the Japan Self Defense Forces: Past, Present, and Future" (Washington, DC: Sasakawa Peace Foundation USA, 2016), 32, spfusa.org/wp-content/uploads/2017/01/US-Japan-Alliance-JSDF.pdf.

119 Watanabe, Yoshida, and Hironaka, 32.

120 Office of the Spokesperson, "Joint Statement of the Security Consultative Committee: A Stronger Alliance for a Dynamic Security Environment The New Guidelines for U.S.-Japan Defense Cooperation" (U.S. Department of State, April 27, 2015), 2009-2017.state.gov/r/pa/prs/ps/2015/04/241125.htm.

presence."[121] In 2017, the U.S. government re-started the "Quad" dialogue between the United States, India, Australia, and Japan and created the Indo-Pacific strategic concept in order to challenge China through "1) strategic extension, 2) regional economic cooperation, and 3) protection of regional vital interests."[122] Although the Quad was primarily initiated as a "strategic consultative mechanism," the dialogue group has value in signaling that "like-minded states have an alternative to succumbing to the allure of BRI."[123]

b. Application to U.S. Policy Change on Sovereignty

The Obama administrations subtle changes to the United States' South China Sea sovereignty policy are best explained as results of a shifting balance of power with China. According to author Nina Silove, the aim of Obama's rebalance to Asia "was to dissuade China from making a bid for hegemony and thereby preserve the existing power balance in the region, in which the United States held the superior position."[124] The reallocation of military forces to the Pacific Ocean area, and efforts to increase defense innovation are characterized by Silove as "internal balancing" factors done by the United States to increase its military capabilities in the Pacific in response to China's increased military strength.[125] Obama administration moves such as support for Philippines arbitration, deployment of Marines to Australia, and basing of Littoral Combat Ships in Singapore can be categorized as "external balancing" factors because they were aimed at strengthening bilateral relationships with friendly nations in Asia at the expense of Chinese influence.[126] In addition to military changes, the Obama administration also pursued economic and

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[121] Arzan Tarapore, "The U.S. Response to the Belt and Road Initiative: Answering New Threats with New Partnerships," *Asia Policy* 14, no. 2 (April 2019): 34.

[122] Wu Shicun and Jayanath Colombage, "Indo-Pacific Strategy and China's Response" (Haikou, Hainan PRC: National Institute for South China Sea Studies, October 31, 2019), 8, en.nanhai.org.cn/index/research/review_c/id/293.html#div_content.

[123] Tarapore, "The U.S. Response to the Belt and Road Initiative: Answering New Threats with New Partnerships," 39.

[124] Nina Silove, "The Pivot Before the Pivot: U.S. Strategy to Preserve the Power Balance in Asia," *International Security* 40, no. 4 (Spring 2016): 46.

[125] Silove, 69.

[126] Silove, 74.

diplomatic engagement of China in the form of the Trans-Pacific Partnership, which was touted as part of the rebalance aimed at integrating China into the existing international order.[127] While these efforts were driven by an expanding Chinese power, the Obama administration hesitated to outright declare a side in the South China Sea sovereignty issue. In an effort to continue working with China, the Obama administration avoided creating additional contention around this issue that would have resulted from an outright policy change.

On July 13, 2020, the United States issued its most striking policy update on the topic of South China Sea sovereignty claims to date. In a political first, the United States explicitly broke with its previous policy of neutrality on the merits of any individual claims and spoke out directly against the PRC's legal claims to the South China Sea.[128] The statement called China's claims illegal and its behavior bullying while also expressing American solidarity with its Southeast Asian allies and the international community in upholding international law. There are indications that this change is related to a larger effort to stop a change in the balance of power relative to the PRC. First, in the immediate aftermath of Secretary Pompeo's announcement that China's claims were unlawful, Assistant Secretary Stillwell delivered a telling speech that underlined the motivations for the Trump administration's policy statement. Second, although this policy statement is bold and direct in its clarification of the U.S. position with respect to Chinese claims, it is really the next step in a set of precedents began under the Obama administration that breaks from the historical position of neutrality. According to Gregory Poling, a senior fellow at CSIS, the policy change made a significant diplomatic impact because, by making its position explicit, the United States leveled a blow to China by calling its actions illegal and endeared itself to Asian allies by taking a stand that is not explicitly self-interested.[129]

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[127] Silove, 83–84.

[128] Pompeo, "U.S. Position on Maritime Claims in the South China Sea."

[129] Gregory B. Poling, "How Significant Is the New U.S. South China Sea Policy?," Informational, *Critical Questions: Center for Strategic and International Studies* (blog), July 14, 2020, https://www.csis.org/analysis/how-significant-new-us-south-china-sea-policy.

On 14 July, 2020, David Stilwell, the Assistant Secretary for East Asian and Pacific Affairs, delivered an address for the Center for Strategic and International Studies during which he outlined the manyfold reasons for the Trump administration's strengthening of its policy regarding the South China Sea.[130] The first rationale provided by Stilwell was that the United States desired to see a "free and open Indo-Pacific" where "no hegemonic power dominates others or turns international waters into a zone of exclusion."[131] The discussion of hegemonic power indicates that the growth of Chinese regional pre-eminence weighed heavily in the minds of those who drafted this policy change. Stilwell continued to highlight growing U.S. partnerships across Southeast Asia and increasing collaboration with allied nations, all of which were aimed "to keep the peace."[132] He also referenced the significant commercial investments that the United States had with ASEAN countries and claimed that they were directly responsible for the increasing quality of life in Southeast Asia. This part of Stillwell's discussion appears aimed at providing evidence for the key role that U.S. economic power still plays in Asia. Furthermore, it appears to show a preoccupation of policymakers with maintaining U.S. economic preeminence in Asia. Revealingly, Stilwell directly described Beijing's transition from a position as a limited rising power to a neo-imperialist country that "wants to dominate its immediate neighborhood—and eventually impose its will and its rules" on all of its neighbors.[133]

The 13 July policy change also achieved bi-partisan support in Congress. On the same day the policy change was made, a group of Democratic and Republican senators declared their full support for "the administration's decision to clarify the United States' position that China's territorial and maritime claims in the South China Sea are unlawful," indicating that the move had significant governmental support and may not have just been

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130 David R. Stilwell, *The South China Sea, Southeast Asia's Patrimony, and Everybody's Own Backyard* (Washington, DC: U.S. Department of State, 2020), https://2017-2021.state.gov/the-south-china-sea-southeast-asias-patrimony-and-everybodys-own-backyard/index.html.

131 Stilwell.

132 Stilwell.

133 Stilwell.

a timely stunt by one administration.[134] Based on the wide-ranging negative implications for Chinese interests resulting from policy, it appears to be part of a larger aim at checking China's regional pre-eminence.

The United States began the changes that led to the 13 July break almost a decade before, and the trend of those previous actions also appears to mark the U.S. move as a response to Chinese growth in military and diplomatic power. The United States' statements in 2010 by Secretary Clinton to ASEAN urging all claimants to clarify their positions was a direct response to ambiguous Chinese legal claims to the South China Sea.[135] In 2014, the United States also tacitly supported Philippine and Vietnamese legal arbitration to the permanent court of arbitration, and applauded the tribunal's award which legally negated Chinese claims in 2016.[136] It was also under the Obama administration that Freedom of Navigation Operations (FONOPS), which sail U.S. Navy ships through contested maritime claims, were restarted.

c. Application to U.S. Policy Change on the U.S.–Philippines MDT

On March 1, 2019, during a State Department press availability with the Philippine Foreign Secretary, Secretary of State Pompeo declared that "any armed attack on Philippine forces, aircraft, or public vessels in the South China Sea will trigger mutual defense obligations under Article 4 of our Mutual Defense Treaty."[137] This statement was surprising and unexpected given that the provisions of the MDT had lasted for decades without any clarification as to whether the U.S. military alliance would cover the

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[134] Senate, "Risch, Menendez, Engel, McCaul: China's Claims in South China Sea Are Unlawful" (United States Senate Committee on Foreign Relations, July 13, 2020), https://www.foreign.senate.gov/press/chair/release/risch-menendez-engel-mccaul-chinas-claims-in-south-china-sea-are-unlawful.

[135] Clinton, *Remarks at Press Availability*.

[136] John Kirby, "Decision in the Philippines-China Arbitration" (U.S. Department of State, July 2016), //2009-2017.state.gov/r/pa/prs/ps/2016/07/259587.htm; Barack Obama, "Remarks by President Obama and President Benigno Aquino III of the Philippines in Joint Press Conference" (The White House, April 28, 2014), https://obamawhitehouse.archives.gov/the-press-office/2014/04/28/remarks-president-obama-and-president-benigno-aquino-iii-philippines-joi.

[137] Pompeo, *Remarks with Philippine Foreign Secretary Teodoro Locsin, Jr. at a Press Availability*.

Philippines' claims in the South China Sea. The timing and events surrounding this statement seem to indicate that the policy change was based on U.S. desires to strengthen its relationship with the Philippines and show the seriousness of its alliance partnerships in Asia.

Similar to the start of the U.S. trade war in 2018, the U.S. policy change in 2019 was proceeded by a series of political and military events that appeared to be tipping the balance of power in Asia towards China. The U.S.–Philippines relationship had suffered following the 2012 standoff between the Chinese and Philippines over Scarborough Shoal, where the Chinese ended up with de facto control at the expense of the Philippines. In a first since the closing of Clark Air Force Base and Subic Bay Naval Base in the 1990s, the United States moved in 2014 to re-invigorate its security ties in the Philippines via the Enhanced Defense Cooperation Agreement, which would allow U.S. forces to use certain Philippine installations for operations.[138] Positive progress came to a halt in 2016 when the Philippines elected President Rodrigo Duterte. Duterte was not hesitant to disavow U.S.-Philippine ties and move to enhance commercial and economic linkages with the PRC. The U.S. policy clarification is likely to have been a move to sweeten the relationship between Manila and Washington when the Philippines' location in the South China Sea became more strategically important.

Secretary Pompeo's speech was vague as to why the policy was being clarified after several decades of ambiguity, but its language did appear to indicate a desire to sway Philippine public opinion in favor of the United States and at the expense of China. Pompeo alluded to U.S. commitments to freedom of navigation, the Indo-Pacific concept, U.S.–Philippines economic partnership, and the benefits of U.S. commercial transparency as opposed to Chinese opacity.[139] In a follow up interview with ABS-CBN news, Secretary Pompeo elaborated that his statements on the MDT were also intended to assure the Philippines that the United States intended to "make sure that every country in the region

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[138] Ankit Panda, "US Slams China's 'Bullying' Amid Vanguard Bank Oil Exploration Standoff with Vietnam," *The Diplomat* (Tokyo, United States: Tribune Content Agency LLC, July 22, 2019), http://search.proquest.com/docview/2314069749/citation/B5E3BF4F6C9D4830PQ/1.

[139] Pompeo, *Remarks with Philippine Foreign Secretary Teodoro Locsin, Jr. at a Press Availability*.

has the opportunity" to freely use the trade routes in the South China Sea, and make their own sovereign decisions free from outside pressure.[140]

C. EXAMINATION OF THE PRC-ASSERTIVENESS EXPLANATION

The second explanation for U.S. policy changes is that they are reactions arising from specific instances of Chinese activity. In this case U.S. foreign policy activity is reactive in that the PRC behaved belligerently and the United States acted after the fact in order to showcase its regional investment and importance. This section will be focused on outlining direct connections between Chinese actions, statements, or activity that had a negative impact on U.S. ambitions or policy positions, and subsequent U.S. responses. Key to supporting this explanation is evidence of timing between any actions and reactions, U.S. leaders indicating that follow on actions are being done in direct response to certain activities, and official moves to retaliate.

There is a history of increasingly risky interactions between the PRC and the United States in security, economic and diplomatic fronts over the past twelve years. Of these interactions it has been Chinese military activity that has garnered the most exacting and unsympathetic responses from western media and the U.S. defense establishment. As the Chinese military expanded its naval fleets and air forces there have been increasing numbers of altercations between them and the various regional U.S. military units. In its effort to regain past prestige China has often behaved in a heavy-handed manner that appears to display arrogance, disinterest in international rules and norms, and an apparent desire to test the boundaries of the international community's patience. Therefore, the United States has been forced to adjust its policies because of a need to save face, live up to its responsibility as the arbiter of world peace, and act as a balance to China's increasing regional weight.

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[140] U.S. Department of State, "Interview with Karmina Constantino of ABS-CBN" (U.S. Department of State), accessed March 26, 2021, https://2017-2021.state.gov/interview-with-karmina-constantino-of-abs-cbn/.

1. Evidence

a. Responses to Military Interactions

On 8 March 2009, the civilian-operated hydrographic survey ship USNS *Impeccable*, operating 75 nautical miles south of Hainan Island and well outside territorial waters, was surrounded by multiple Chinese fishing vessels and harassed.[141] This was the most serious international incident between Chinese and U.S. military craft since the 2001 Hainan Island EP-3 incident and it marked a new trend in provocative Chinese harassment actions that appeared aimed at intimidating and exercising unlawful authorities on the high seas. The initial response to this harassment was limited, because on 11 and 12 March 2009 the Chinese foreign minister met for the first time with the newly appointed U.S. secretary of state and national security advisor on a prearranged. The incident was apparently discussed between the parties and afterwards the United States responded in a non-provocative manner by ordering the USS *Chung Hoon*, an Arleigh Burke class destroyer, to escort the Impeccable back into its operating area off the Chinese coast.[142] Details of the meeting between Chinese and U.S. officials are scarce, but post-event press briefings seemed to indicate that the U.S. response was muted because the issue had been discussed at length during internal meetings between both governments and a satisfactory explanation was provided by the Chinese for their behavior.

On 5 December, 2013 a PLA(N) warship nearly collided with the USS *Cowpens* in an attempt to prevent it from operating near a PRC naval task force in the South China Sea.[143] Following this, then Secretary of Defense Chuck Hagel and Commander of the Joint Chiefs of Staff Martin Dempsey spoke out against the Chinese, calling the behavior

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[141] Michael Green et al., "Counter-Coercion Series: Harassment of the USNS Impeccable," *Asia Maritime Transparency Initiative* (blog), May 9, 2017, https://amti.csis.org/counter-co-harassment-usns-impeccable/.

[142] Green et al.

[143] Carl Thayer, "USS Cowpens Incident Reveals Strategic Mistrust Between U.S. and China," December 17, 2013, https://thediplomat.com/2013/12/uss-cowpens-incident-reveals-strategic-mistrust-between-u-s-and-china/.

irresponsible but taking no further diplomatic action or military measures.[144] As in the case with the USNS *Impeccable*, there was little to no direct U.S. retaliatory action following the Cowpens near-collision. It would be a year to-the-day until the U.S. government was to respond generally to the Chinese, and then it was in relation to their island building campaign in the South China Sea. On 5 December 2014, in a response to the increasing belligerence of Chinese naval vessels and island building, the United States released a detailed technical analysis of "the maritime claims People's Republic of China in the South China Sea".[145] The report outlined the confusion surrounding China's claims and was the first time that the United States openly discussed and outlined its issues with China's expressed maritime boundaries. In 2015 the United States resumed Freedom of Navigation Operations (FONOPS) against disputed maritime claims in the South China Sea.

At the 2018 Shangri La Dialogue in Singapore, Secretary of Defense James Mattis categorized China's South China Sea activity as being in opposition to U.S. interests. Secretary Mattis cited that "China's militarization of artificial features in the South China Sea includes the deployment of anti-ship missiles, surface-to-air missiles, electronic jammers, and more recently, the landing of bomber aircraft at Woody Island," and was "in direct contradiction to President Xi's 2015 public assurances in the White House Rose Garden that they would not do this."[146] According to Secretary Mattis, it was because of China's trend in behavior that the United States chose to disinvite the PLA(N) from the 2018 Rim of the Pacific Naval Exercise.[147] During the following year the U.S. Navy conducted more Freedom of Navigation operations (FONOPS) than in any year since the

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144 John Harper, "Hagel Calls Chinese Actions toward USS Cowpens 'Irresponsible,'" Stars and Stripes, December 19, 2013, https://www.stripes.com/news/us/hagel-calls-chinese-actions-toward-uss-cowpens-irresponsible-1.258458.

145 Bureau of Oceans and International Environmental and Scientific Affairs, *Limits in the Seas: China, Maritime Claims in the South China Sea*, Report No. 143 (Washington, DC: U.S. Department of State, 2014), 1, https://www.state.gov/wp-content/uploads/2019/10/LIS-143.pdf.

146 James Mattis, *U.S. Leadership and the Challenges of Indo-Pacific Security* (Singapore: International Institute of Strategic Studies, 2018), https://www.iiss.org/events/shangri-la-dialogue/shangri-la-dialogue-2018.

147 Mattis.

U.S. resumed FONOPS in 2015, with the Navy conducting six in 2017, five in 2018, and nine in 2019.[148] The linkage between Chinese provocations and U.S. reactions explicitly mentioned in Secretary Mattis' speech show that the U.S. was taking responsive measures to a broad range of undesirable Chinese activity and the increase in FONOPS was most likely an additive measure to show U.S. displeasure with Chinese activity in the South China Sea.

b. Scarborough Shoal and Land Reclamation Campaign in South China Sea

In the spring of 2012, units of the Chinese and Philippine coast guards engaged in a prolonged two-month stand-off over the control of Scarborough Shoal, a maritime feature inside the Philippines claimed exclusive economic zone in the South China Sea.[149] Because of the threat of armed conflict between the Chinese and the Philippines over the Shoal, the United States increased publicity surrounding port-visits for forward deployed fast attack submarines to Subic Bay in an effort to demonstrate U.S. resolve to supporting its defense obligations to the Philippines.[150] The United States was involved in negotiating an end to the standoff, with Chinese Vice Foreign Minister Fu Ying and U.S. Assistant Secretary of State Kurt Campbell agreeing that both Chinese and Philippine forces would leave Scarborough Shoal simultaneously.[151] However, the Chinese failed to ensure that their ships left the area, which created an impression that the combined U.S.–Philippines reaction to the stand-off was weak and failed to sufficiently block Chinese territorial ambitions.

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[148] David Larter, "In Challenging China's Claims in the South China Sea, the US Navy Is Getting More Assertive," Defense News, February 18, 2020, https://www.defensenews.com/naval/2020/02/05/in-challenging-chinas-claims-in-the-south-china-sea-the-us-navy-is-getting-more-assertive/.

[149] Renato Cruz de Castro, "Facing Up to China's Realpolitik Approach in the South China Sea Dispute: The Case of the 2012 Scarborough Shoal Stand-off and Its Aftermath," *Journal of Asian Security and International Affairs* 3, no. 2 (August 1, 2016): 168, https://doi.org/10.1177/2347797016645452.

[150] Cruz de Castro, 173.

[151] Michael Green et al., "Counter-Coercion Series: Scarborough Shoal Standoff," *Asia Maritime Transparency Initiative* (blog), May 22, 2017, https://amti.csis.org/counter-co-scarborough-standoff/.

In March of 2016, President Obama reacted to Chinese designs to conduct additional land reclamation in and around the contested Scarborough Shoal. He delivered such a harsh reproach and warning against such activity that Chinese paramilitary and fishing vessels temporarily left the area.[152] According to U.S. intelligence officials, there were indications that the People's Liberation Army had been strongly advocating to consolidate control over the feature after three years of waiting following the 2012 stand-off with the Philippine Navy. According to former White House Asia advisor Evan Mederios, President Obama made it clear to President Xi that attempts to start land reclamation on Scarborough Shoal would conflict with U.S. interests and severely risk the possibility of military intervention.[153] President Obama's warnings to the PRC were followed up with a military show of force which included a flight of A-10 Warthog close air support aircraft conducting flights near the disputed features.

c. PRC-Vietnam Naval/Fishing Standoffs

On May 1, 2014, the PRC sent the deep-ocean oil drilling rig *Haiyang Shiyou 981*, multiple oil exploration vessels, and a small flotilla of smaller craft into Vietnamese claimed waters in the vicinity of a potential oil field previously mapped by the Vietnamese.[154] The move immediately provoked a tense standoff during which ships on both sides behaved in highly aggressive manners. Six days after the standoff, the U.S. State Department issued a press-release which called Chinese actions "provocative" and "part of a broader pattern of Chinese behavior to advance its claims over disputed territory in a manner that undermines peace and stability in the region."[155] One day later, on May 8, 2014, the Assistant Secretary of State for East Asian and Pacific Affairs, Daniel Russel,

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[152] Demetri Sevastopulo, Geoff Dyer, and Tom Mitchell, "Obama Force Xi to Back Down Over South China Sea Dispute," *Financial Times*, July 12, 2016, Online edition, https://infoweb.newsbank.com/resources/doc/nb/news/15E1550AC649F858?p=AFNB.

[153] Sevastopulo, Dyer, and Mitchell.

[154] Michael Green et al., "Counter-Coercion Series: China-Vietnam Oil Rig Standoff" (Asia Maritime Transparency Initiative, June 12, 2017), https://amti.csis.org/counter-co-oil-rig-standoff/.

[155] "Statement by Jen Psaki, Spokesperson on Vietnam/China: Chinese Oil Rig Operations Near the Paracel Islands," U.S. Embassy in the Philippines, May 7, 2014, https://ph.usembassy.gov/statement-by-jen-psaki-spokesperson-on-vietnamchina-chinese-oil-rig-operations-near-the-paracel-islands/.

held a press conference at the U.S. embassy in Hanoi where he emphasized the need for the various territorial claims in the South China Sea to be addressed in a manner "fully consistent with international law" and expressed a desire for restraint to be used by both sides.[156] On October 2, 2014, the United States eased its arms embargo policy with Vietnam in what was viewed as a move "to help Hanoi strengthen its maritime security as it contends with a more assertive China."[157] This policy shift was significant in that it was the first time in 40 years that the United States eased its embargo on selling lethal weapons to Vietnam, and it marked a new emphasis on strengthening United States security ties with Vietnam.[158]

In mid-July of 2019 the Chinese and Vietnamese were embroiled in another standoff between oil exploration and coastguard vessels, resulting in Chinese ships maneuvering in a hostile manner towards the Vietnamese in disputed waters claimed by both countries.[159] In response, the U.S. State Department released a strongly worded statement on China's interference with foreign gas and oil exploration projects and called Chinese actions a threat and a disruption of regional security while imploring China to "cease its bullying behavior and refrain from engaging in this type of provocative and destabilizing activity."[160]

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156 "Press Roundtable with Assistant Secretary Daniel Russel," U.S. Embassy & Consulate in Vietnam, May 8, 2014, https://vn.usembassy.gov/press-roundtable-with-assistant-secretary-daniel-russel/.

157 Michael R. Gordon, "U.S. Eases Embargo on Arms to Vietnam," *New York Times*, October 3, 2014, sec. A.

158 Lesley Wroughton and Andrea Shalal, "U.S. Eases Arms Embargo against Vietnam for Maritime Security," *Reuters*, October 2, 2014, sec. Aerospace and Defense, https://www.reuters.com/article/us-usa-vietnam-arms-idUSKCN0HR29V20141002.

159 Khanh Vu and James Pearson, "Vietnam, China Embroiled in South China Sea Standoff," *Reuters*, July 16, 2019, https://www.reuters.com/article/us-vietnam-china-southchinasea-idUSKCN1UC0MX.

160 Morgan Ortagus, "Chinese Coercion on Oil and Gas Activity in the South China Sea," *United States Department of State* (blog), accessed March 28, 2021, https://2017-2021.state.gov/chinese-coercion-on-oil-and-gas-activity-in-the-south-china-sea/.

d. 2020 Pandemic South China Sea Actions

In the first six months of 2020 following the start of the coronavirus pandemic, China instigated a series of provocative measures in the South China Sea which resulted in a variety of U.S. diplomatic and military responses. On February 17, 2020 a PLA(N) warship targeted a Republic of the Philippines Navy corvette with its fire control system while both were operating in the Spratly Islands.[161] In March of 2020, the Chinese Academy of Sciences activated two new research stations on Yongshu and Zhubi reefs—also known as Fiery Cross and Subi reefs—in the Spratly Islands which were ostensibly for conducting ecological, geological and oceanographic studies even though those outposts were already heavily fortified for military use.[162] At the beginning of April 2020, a Vietnamese fishing boat was rammed and sunk by a Chinese People's Armed Forces Maritime Militia (PAFMM) vessel while sailing in the vicinity of the Paracel Islands. This prompted a statement from the U.S. Department of State which declared the United States' concerns with the incident and called it "the latest in a long string of PRC actions to assert unlawful maritime claims and disadvantage its Southeast Asian neighbors in the South China Sea."[163] In mid-April, new administrative zones were proclaimed by the Chinese Ministry of Civil Affairs in the South China Sea which placed overall control of the Paracel and Spratly Islands under China's Hainan Province government.[164]

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[161] Renato Cruz de Castro, "Implications of the Recent Philippines-China Naval Stand-Off," *Asia Maritime Transparency Initiative* (blog), May 7, 2020, https://amti.csis.org/implications-of-the-recent-philippines-china-naval-stand-off/.

[162] Huaxia, "New Research Stations Come into Operation on Nansha Islands," *Xinhua*, March 20, 2020, xinhuanet.com/english/2020-03/20/c_138898845.htm.

[163] Morgan Ortagus, "PRC's Reported Sinking of a Vietnamese Fishing Vessel in the South China Sea," *United States Department of State* (blog), April 6, 2020, 2017-2021.state.gov/prcs-reported-sinking-of-a-vietnamese-fishing-vessel-in-the-south-china-sea/index.html.

[164] Le Thu Huong, "Fishing While the Water Is Muddy: China's Newly Announced Administrative Districts in the South China Sea," *Asia Maritime Transparency Initiative* (blog), May 6, 2020, https://amti.csis.org/fishing-while-the-water-is-muddy-chinas-newly-announced-administrative-districts-in-the-south-china-sea/.

2. Chinese Assertiveness and U.S. Policy

a. Assessment of Evidence

The evidence supporting U.S. policy changes as reactions to specific Chinese behaviors or behavioral patterns in the South China Sea is mixed. The number of negative military and diplomatic interactions between the PRC, the United States and other Southeast Asian countries has increased significantly since the well publicized 2009 USNS *Impeccable* incident. Many of these interactions appear to incite a short-term military activity, written statements, or verbal protests by the U.S. Department of Defense or Department of State. However, it is challenging to link individual behaviors to specific response policies, especially given the naturally veiled decision-making nature of both domestic and international politics. Other factors, such as long-term diplomatic or military planning may have as significant an impact on an individual response as do the unique details inherent to a particular international incident or Chinese action. Additionally, it is difficult to discern whether or not Chinese actions may themselves be a response to what is perceived as a slight on the part of the United States. Determining which side may play the role of sparking the initial crisis is a difficult task given the now decades-long ongoing escalation in the South China Sea. The overall trend appears to indicate that, as Chinese behavior has escalated in belligerence over the past twelve years, the United States has responded more frequently and with increasing vigor to individual instances that appear to cross unofficial red lines or are detrimental to perceptions of U.S. regional dedication.

b. Application to Sovereignty Policy Change

There is strong evidence to indicate that Chinese assertive activity was a major driver for the sovereignty policy change made by the United States. The Obama administration was surprisingly patient in its slow adjustment of its sovereignty policy position given the numerous hostile military and diplomatic actions undertaken by the PRC between 2008 and 2016. While it is challenging to directly link individual Chinese actions to piecemeal changes in the sovereignty policy under the Obama administration, it is likely that China's relatively consistent aggressive behavior encouraged the U.S. administration to continue its departure from the sovereignty policy precedent established in the 1990s.

However, the global context of such behavior in 2019 and 2020 incited a direct response from the United States. According to Felix Chang, a senior fellow at the Foreign Policy Research Institute, the United States' policy change was most likely attributable to "China's history of opportunism in the South China Sea: the fear that Beijing will take advantage of a world distracted by the COVID-19 pandemic to further expand its presence in the region."[165] In December 2019, the Chinese chose to initiate another standoff between the Chinese survey ship Haiyang Dizhi 8 and the Malaysian oil exploration ship West Capella which lasted for six months. This coincided with the PRC's hostile interactions towards both the Philippines in February, its March move to christen new research stations, and its April attack on the Vietnamese fishing vessel and attempts to increase administrative control of South China Seas features.

The long string of provocative actions in 2020 appears to have caused a series of U.S. reactions, a major piece of which was the policy change. In response to the Chinese harassment activities the United States chose to exert a significant show of military force. A international naval force consisting of multiple U.S. and Australian warships, accompanied by F-35 fighter aircraft, moved into the oil exploration area to conduct joint peacetime operations.[166] Close on their heels came both of the forward deployed U.S. littoral combat ships from Singapore and several flights of B-1 bombers from Guam and the continental United States over the next week.[167] At the height of the crisis in May 2020, the U.S. Pacific Fleet announced that "every one of its forward-deployed submarines" were "conducting contingency response operations…in support of a free and open Indo-Pacific region."[168] This was an unusual announcement in that normally

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[165] Felix K. Chang, "From Pivot to Defiance: American Policy Shift in the South China Sea - Foreign Policy Research Institute," Analysis Report (Philadelphia, PA: Foreign Policy Research Institute, August 24, 2020), https://www.fpri.org/article/2020/08/from-pivot-to-defiance-american-policy-shift-in-the-south-china-sea/.

[166] Chang.

[167] Chang.

[168] Courtesy Story, "Pacific Fleet Submarines: Lethal, Agile, Underway," Commander, Submarine Force, U.S. Pacific Fleet, May 8, 2020, https://www.csp.navy.mil/Media/News-Admin/Article/2186392/pacific-fleet-submarines-lethal-agile-underway/.

clandestine submarine operations were spoken of in a manner which indicated they were responding to the Chinese activities in the South China Sea.[169] On July 4, 2020, the U.S. deployed two carrier strike groups, the USS *Nimitz* and the USS *Ronald Reagan*, to the South China Sea to conduct exercises in the vicinity of the Spratly Islands.[170] These same carrier strike groups would return to the South China Sea just two weeks later in another show of force, this time responding to a deployment of Chinese fighter aircraft to the Paracel Islands.[171]

The July 13, 2020, policy change made by Secretary Pompeo comes close on the heels of this significant number of Chinese actions in the South China Sea that were either aggressive or belligerent in nature. The proximity of his statement to and association with Chinese activity, which was also happening at the height of the global coronavirus pandemic makes it highly likely that it was caused by Chinese actions. It seems too coincidental that the announcement occurred during a year when the coronavirus outbreak significantly increased suspicions of China, the PRC had enacted controversial national security laws in Hong Kong, and U.S. military forces were operationally hampered by the outbreak. According to Robert D. Williams, a senior research scholar and law lecturer at Yale Law School, the Trump administration appeared pressed to act in response to "China's latest South China Sea moves by demonstrating resolve, showing support for Southeast Asian allies and partners frustrated by Chinese bullying."[172] The timing of the policy change relative to the slew of Chinese activities strongly indicates that it was driven by these events.

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[169] William Cole, "Navy Sends Subs to Sea as Message to China," *Honolulu Star-Advertiser*, May 18, 2020, sec. Hawaii News, https://www.staradvertiser.com/2020/05/18/hawaii-news/navy-sends-subs-to-sea-as-message-to-china/.

[170] Chang, "From Pivot to Defiance."

[171] Chang.

[172] Robert D. Williams, "What Did the US Accomplish with Its South China Sea Legal Statement?," *Brookings* (blog), July 22, 2020, https://www.brookings.edu/blog/order-from-chaos/2020/07/22/what-did-the-us-accomplish-with-its-south-china-sea-legal-statement/.

c. Application to U.S.–Philippines MDT Change

Evidence supporting the change in U.S.–Philippines MDT applicability as a result of specific Chinese activities is difficult to directly correlate. The U.S. policy statement came at a time when U.S.-Philippine bilateral relations were challenged by personality politics of their respective administrations, and the historically close partnership was overshadowed by an apparently closer relationship between Manila and Beijing. Any indications in Secretary Pompeo's statement alluding to specific causes for the change are vague. The speech did briefly reference the threat of Chinese "island-building and military activities" as threatening Philippines "sovereignty, security, and therefore economic livelihood," but did not directly indicate this as the impetus for the United States' newfound dedication to apply force in support of the Philippines in the South China Sea.[173]

Close to the timing of the statement, the Chinese did controversially engage the Philippines over a land reclamation and expansion project that occurred on a Philippines occupied island. The aggressive nature of the Chinese response to Philippine activity, which harkened back to PRC actions around Scarborough Shoal, could have served as a factor in prompting the U.S. statement. Beginning in December of 2018, dozens of Chinese PAFMM and civilian fishing vessels used swarm tactics to harass Philippines military and civilian contractors conducting a runway extension project on the Philippines occupied Thitu Island.[174] Similar swarming tactics using multiple civilian or militia fishing vessels were used extensively during the 2012 Scarborough Shoal standoff which resulted in a strategic loss of face for the Philippine armed forces who were ultimately not able to prevent Chinese craft from blocking access to the shoal. Concerns that the standoff could lead to a military confrontation between the Philippines and China, and the Chinese use of intimidation tactics to prevent an activity that they themselves had previously engaged in, may have contributed to the policy clarification by the United States.

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[173] Pompeo, *Remarks with Philippine Foreign Secretary Teodoro Locsin, Jr. at a Press Availability*.

[174] Richard Javad Heydarian, "Duterte's Scarborough Shoal Moment," *Asia Maritime Transparency Initiative* (blog), April 18, 2019, https://amti.csis.org/dutertes-scarborough-shoal-moment/.

In the absence of clearer evidence of specific Chinese behavior inciting the U.S.–Philippines MDT policy update there are other possible causes for the policy change. In December of 2018, the Republic of the Philippines Defense Secretary, Delfin Lorenzana called for a comprehensive review of the U.S.–Philippines Mutual Defense Treaty with the end goal being "to maintain it, strengthen it, or scrap it."[175] Because this announcement had significant potential ramifications for the continuation of all U.S. alliance activities with the Philippines, to include the VFA and the EDCA, it appears that actions by the Philippine government may have played a role in prompting the clarification of the U.S. position with respect to Philippine concerns in the South China Sea. Because the next chapter of this thesis will address the role played by allied and partner nations in influencing U.S. policy positions further analysis of the role played by the Philippines in causing the MDT policy change will be addressed later.

D. CONCLUSION

This chapter has attempted to provide insight as to why the United States changed its stances on both South China Sea sovereignty and the U.S.–Philippines MDT by examining two China-centric explanations. The first explanation was that the United States' policy change was a reaction to a changing balance of power with China. The balance of power explanation shows that the United States altered its position on the South China Sea territorial issues in response to a changing economic, military, and diplomatic balance-of-power with the PRC. The balance of power explanation also provides an answer as to why the U.S. clarified its MDT applicability with the Philippines in 2019. Official policy statements and timing of U.S. actions show that it was advantageous for the United States to recommit itself to its defense obligations to the Philippines. This policy shift allowed the United States to bolster its influence with the Philippines at the expense of China given the strategically important location of the Philippines between North and Southeast Asia.

The second explanation was that the U.S. policy changes were reactions to instances of Chinese belligerent activity. There is ample evidence of hostile ship-to-ship interactions,

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[175] Jelly Musico, "Lorenzana Orders Review of 67-Year-Old US-PH Military Pact," Philippines News Agency, last modified December 28, 2018, https://www.pna.gov.ph/articles/1057639.

island building, fishing standoffs, and other provocations which support the change in U.S. position on South China Sea territorial issues as a response to increasing instances of belligerent Chinese activity. The Obama administration observed this power shift and started maneuvering U.S. policy to respond slow and subtle fashion. During the Trump presidency in 2020, reinvigorated Chinese provocations sparked the need for a more distinct stance. However, I find that there is not adequate evidence of triggering activities on the part of the PRC to explain why the United States chose to clarify the applicability of its Mutual Defense Treaty in 2019. In the lead up to that policy shift there were dozens of instances of Chinese belligerence towards the Philippines that resulted in little or no response on the part of the United States.

IV. THE ROLE OF ALLIES AND PARTNER NATIONS

A. INTRODUCTION

Explanations for U.S. policy changes regarding both the South China Sea sovereignty issue and the U.S.–Philippines MDT can be overshadowed by Chinese power and influence, but allies and partners also play a critical role for the United States. This chapter introduces and examines the evidence in support of an ally and partner driven explanation for U.S. policy changes. The motivations and goals of other Asian nations, specifically those either allied or partnered with the United States, might impact the execution of U.S. foreign policy. In this case, allied nations include South Korea, Japan, and the Philippines, all of whom benefit from formal defense agreements with the United States. Partner nations include those who have either strong defense ties or formal security relationships with the United States such as Australia, Singapore, Vietnam, Taiwan, and Thailand. This explanation differs from those of the previous chapter because it hypothesizes that the impetus for U.S. policy change comes from foreign policy tactics and political pressure exerted by countries in an effort to manage U.S. regional involvement in Asia.

This chapter will analyze evidence which supports the role played by allied and partner nations in influencing U.S. foreign policy in Asia. I will provide background, discuss substantiating evidence, and then apply the explanation to U.S. foreign policy actions regarding sovereignty and the U.S.–Philippines MDT. As in the previous chapter, I will conclude with an evaluation of the strength of this explanation and the implications for U.S. involvement in the South China Sea.

I find that the U.S.–Philippines MDT policy change was largely influenced by the behavior of the Philippines government in the years and months leading up to it. The Duterte administration has used an aggressive foreign policy rhetoric to threaten the United States with the loss of access to locations key to its efforts to combat Chinese expansionism in the South China Sea. However, it is not possible to point to similar evidence showing that the shift in the neutral U.S. policy on South China Sea sovereignty was caused by the

intervention of other ally or partner countries. There are too many competing interests between the multitude of claimant nations and a general wariness among Southeast Asian countries towards involving additional superpowers in the dispute.

B. EXAMINATION OF THE ALLIES-AND-PARTNERS EXPLANATION

1. Application of Explanation to Broader U.S.-Asia Strategic Involvement

The allies-and-partners explanation postulates that the United States has adjusted its policy stances because of direct and indirect pressure from ally and partner countries. Evidence of direct pressure includes records of official meetings, statements, and actions made by a country with the intent of driving U.S. policy to align with their regional interests. Indirect pressure would be similar evidence that indicates a U.S. ally or partner is behaving with similar intent to align U.S. policy with their interests but is doing so in a subtle or covert manner. This section will use examples of foreign pressure to highlight the extent to which U.S. policy has been affected by its various Asian partners and allies.

The important role played by U.S. alliances has been under increased scrutiny over the last two decades, particularly during the four years of the Trump administration when U.S. foreign policy rhetoric became less conciliatory towards alliance relationships. The United States has historically used a network of strong bilateral alliance relationships in Asia to further its foreign policy designs, due in large part to a historical Asian aversion to externally driven foreign organizations, such as NATO, in the region. Because no multinational security organization has successfully survived in Southeast Asia, it is vitally important for the U.S. government and its Asia policymakers to engender strong bonds with its bilateral partners in order to meet its regional economic, security, and diplomacy goals.[176] Similarly, the United States is the only nation present in Asia that can offer smaller countries a means to "secure their sovereignty against coercion."[177] This means

[176] Michael Green et al., *The Role of Allies, Partners, and Regional Organizations*, Asia-Pacific Rebalance 2025: Capabilities, Presence, and Partnerships (Washington, DC: Center for Strategic and International Studies (CSIS), 2016), 50, https://www.jstor.org/stable/resrep23316.8.

[177] Green et al., 50–51.

that Asian allies and partners have much to gain by steering U.S. policy to a place where it aligns with their interests. Accordingly, these countries can influence U.S. policy from a position of strength since America has to "contend with entrenched narratives of the U.S. role in the region oscillating between extremes of neglect or over-militarization."[178] As long as the United States focuses its attention on maintaining its influence in Asia, it will need the assistance of allies and partners, especially given the region's importance to American foreign policy designs.

2. Role of Allies and Partners

The United States has relied heavily on bilateral relationships in Asia to meet its foreign policy goals. Of the existing bilateral relationships, those with Japan, South Korea, Australia, and the Philippines are particularly strong due primarily due to the security benefits experienced by both sides. The most valuable of these security benefits is the military protection offered to these countries by the United States and the reciprocal basing and support infrastructure provided in return.

The U.S. relationship with Japan is potentially the strongest bilateral relationship in Asia. The relationship was founded on the influence of the United States in crafting Japan's post-war economic recovery, government reform, and social stability. Japan is host to seven major U.S. military installations, 4,000 military personnel, shares use of significant U.S. military resources, and is indispensable as a regional ally.[179] Because of the important role Japan plays as a forward basing location for military assets, Japan has significant sway in the direction that U.S. foreign policy takes.

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[178] Euan Graham, "Southeast Asia in the US Rebalance: Perceptions from a Divided Region," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 35, no. 3 (2013): 305, https://doi.org/10.1355/cs35-3a.

[179] U.S. Forces, Japan, *Guidance from the Commander, U.S. Forces Japan* (Yokota, Japan: U.S. Forces, Japan, 2021), https://www.usfj.mil/About-USFJ/.

Behind Japan, South Korea is the second largest overseas location for U.S. troops in Asia with over 28,000 stationed in country.[180] The Korean peninsula is the only place in mainland Asia with the permanent basing of U.S. forces, and given the immediate threat posed by a nuclear armed North Korea it is extremely advantageous for the United States to be able to place forces close in proximity as a stabilizing presence. In light of an increasingly powerful China, South Korea's alliance with America and its strategic location give the country a significance far larger than its small geographic size would indicate. Because of this, the South Korean government holds influence over the direction of U.S. policy on the peninsula.

Both Australia and Singapore have close relationships with the United States, and although neither have specific claims to disputed features in the South China Sea, they benefit from U.S. regional presence and interest. They also are strategically important based on their locations in the vicinity of major transit points such as the Strait of Malacca and key entry paths into the South China Sea such as the Lombok and Sunda straits. Australia is a member of the Five Eyes information sharing arrangement and host to forward-deployed Marine forces. Singapore has allowed the forward deployment of U.S. littoral combat ships and has built one of the only piers capable of servicing a U.S. Navy aircraft carrier. The consistent support of these two countries is vital to the United States' ability to project power across the entire Indo-pacific region.

The U.S.- Philippine bilateral relationship is complex and has gone through varying highs and lows. While the government in power may not always see eye-to-eye with Washington, the Philippines holds more influence in American foreign policy than may meet the eye. Like Japan and South Korea, the Philippine archipelago dominates all of the eastern access channels into the South China Sea, making its geography strategically valuable. The Philippines is also linked to the United States by virtue of its long colonial and territorial history. For decades, the United States directly administered the Philippines and thousands of Filipinos have family ties to America and have served in U.S. armed

[180] Andrea Shalal and Hyonhee Shin, "South Korea to Boost Funding for U.S. Troops under New Accord: State Department," *Reuters*, March 7, 2021, https://www.reuters.com/article/us-south-korea-usa-defense-idUSKBN2AZ0O2.

forces. Most recently, the Philippines has increased in geostrategic importance because it often finds itself on the front lines of great power competition between the United States and China in the South China Sea. This confluence of factors can be used to the advantage of the Philippine government in influencing U.S. foreign policy.

The United States has worked hard to reinforce its access to Philippine military bases and strengthen ties with its military forces. In part this is because the United States has a vested interest in ensuring that the Philippines can at least marginally withstand PRC pressure given that America has a commitment to protect the Philippines under its MDT.[181] Because the Philippine armed forces are often underprepared and underequipped to perform the tasks given to them by the central government without foreign assistance, senior Philippine military leaders have a vested interest in ensuring access to U.S. assistance.[182] A friendly relationship with Manila also benefits U.S. interests because it provides the United States military access to ports and airfields from which it can sortie forces for operations in and around the South China Sea.

3. Allies, Partners and U.S. Policy Change

a. Assessment of Evidence

There is ample evidence in the last two decades which supports the idea that allies and partners exert influence over the direction of U.S. foreign policy. In examining the bilateral relationships with the countries mentioned in section two, there are multiple examples of U.S. foreign policy shifting to accommodate foreign needs and desires in order to advance and maintain its regional influence and power.

Two examples of Japanese influence on U.S. foreign policy include the movement of Marine Corps forces out of Okinawa and the assurances of U.S. politicians that the U.S.-Japan MDT will apply to the disputed Senkaku Islands. In the case of U.S. Marine Corps forces stationed at Futenma Marine Corps Air Station, consistent pressure from local elites in Okinawa and the degradation of public support for the bases has caused the United States

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[181] Green et al., *Allies, Partners, and Regional Organizations*, 73.

[182] Green et al., 74.

to relocate Marine ground forces to Guam.[183] U.S. forces in Okinawa had been at the center of a number of well publicized incidents with the local population, and such behavior put Japanese goodwill towards U.S. presence in the rest of Japan at risk. Ignoring Japanese demands was risky because it placed the ability to keep the remainder of U.S. forces stationed in Japan under strain. Following a series of agreements in 2006, the U.S. government conceded to Japanese requests to relocate the Marine bases either off island or to less populated areas of Okinawa.[184]

The Senkaku Island dispute is another piece of evidence which supports the effectiveness of indirect Japanese influence on U.S. foreign policy. Between both the Obama and Trump administrations, the United States consistently confirmed that the U.S.-Japan Mutual Defense Treaty applies to the Japanese administered Senkaku Islands.[185] The United States reiterated its support because of growing Japanese concern "about China's increasing maritime presence near the Senkaku/Diaoyu Islands, through which Beijing seeks to erode Japan's administrative control."[186] When Prime Minister Shinzo Abe was elected in 2012, Japan was focused on bolstering its security relationship with the United States in order to manage tensions with China and increase its own military capability.[187] Prior to President Obama's 2014 assertion that the U.S.-Japan MDT applied to the Senkaku Islands, Prime Minister Abe had worked to ease the Okinawa basing issue, connect Japan to the Trans-Pacific Partnership, and alter the Japanese constitutional stance

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[183] Green et al., 56.

[184] Emma Chanlett-Avery and Christopher T. Mann, "U.S. Military Presence on Okinawa and Realignment to Guam," In Focus (Washington, DC: Congressional Research Service, June 14, 2017), 1, https://congressional.proquest.com/congressional/result/congressional/congdocumentview?accountid=12702&groupid=100340&parmId=1787631A9F7#0.

[185] James R. Holmes and Toshi Yoshihara, "Deterring China in the 'Gray Zone': Lessons of the South China Sea for U.S. Alliances," *Orbis* 61, no. 3 (January 1, 2017): 324, https://doi.org/10.1016/j.orbis.2017.05.002.

[186] Tongfi Kim, "Sino-Japanese Disputes and the US-Japan Alliance," in *US Alliance Obligations in the Disputes in the East and South China Seas* (Frankfurt am Main, Germany: Peace Research Institute Frankfurt, 2016), 9, http://www.jstor.org/stable/resrep14540.4.

[187] Bhubhindar Singh, "Obama's Statement on the Senkakus/Diaoyus: Why so Bold?," Analytical, *East Asia Forum: Economics, Politics and Public Policy in East Asia and the Pacific* (blog), May 3, 2014, https://www.eastasiaforum.org/2014/05/03/obamas-statement-on-the-senkakusdiaoyus-why-so-bold/.

on collective self-defense.[188] These pro-U.S. actions by Japan may have influenced President Obama's commitment to defend Japanese interests.

Two security areas where South Korean domestic politics have affected U.S. foreign policy are the basing of U.S. military units on the peninsula and the stationing of terminal high altitude area defense (THAAD) missile systems along the DMZ for defense purposes. The issue of U.S. troop basing came to a head in 2019 when the Trump administration demanded additional South Korean funding to maintain the more than 28,000 American troops stationed around Seoul.[189] The South Korean government held off on American demands for almost two years knowing that it holds significant sway as a major location of overseas American forces. Ultimately the South Koreans were able to make a deal with the Biden administration in 2021 to pay $1.05 billion (1.18 trillion KRW) to support U.S. forces, a nominal increase over the $919 million (1.03 trillion KRW) they offered to pay the Trump administration—which rejected the offer—for the same thing.[190] The Biden administration was sensitive to the perceived weakening of the U.S.-Korea alliance relationship under the Trump presidency, and Seoul was able to utilize its strategic position as leverage to exact a better deal.

The issue of THAAD missile system basing in South Korea was extremely contentious but was able to move forward as North Korean belligerence increased which raised demand for better defensive capabilities. Initially, South Korean public opinion was strongly against THAAD basing due to fears of North Korean reprisals and the potential to anger Beijing, but support grew in tandem with North Korean missile inventory and capability.[191] The shift occurred because South Koreans saw the immediate threat posed

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188 Singh.

189 Sarah Kim, "Korea to Pay U.S. 13.9% More This Year for SMA," *Korea JoongAng Daily*, March 10, 2021, https://koreajoongangdaily.joins.com/2021/03/10/national/diplomacy/Special-Measures-Agreement-defense-costsharing-KoreaUS-alliance/20210310172500387.html.

190 Kim.

191 Jaganath Sankaran and Bryan L. Fearey, "Missile Defense and Strategic Stability: Terminal High Altitude Area Defense (THAAD) in South Korea," *Contemporary Security Policy* 38, no. 3 (September 2, 2017): 333, https://doi.org/10.1080/13523260.2017.1280744.

by North Korean missiles and observed that THAAD functioned an expedient immediate response.[192] Following North Korea's fourth nuclear test in 2016, public support for THAAD reached 73.9% among South Koreans.[193] It was only after the increase in public demand that the THAAD system was eventually deployed to South Korea by U.S. forces in 2017.

In the aftermath of the 2012 Scarborough Shoal incident and subsequent Chinese island building campaign a large number of Australian politicians have become concerned about Chinese behavior and military capabilities.[194] Australia has voiced support for freedom of navigation operations and been an active participant in the Quadrilateral security dialogue with the United States, Japan, and India. Additionally, Canberra is now host on a rotational basis to approximately 2,500 Marines who spend six months every year in the Northern Territory.[195] The Marine basing in Darwin is valuable because it allows the United States to position rapid response forces in Southeast Asia and comes after a prolonged negotiation effort with the Australian government. U.S. desire to maintain this access means that Canberra holds some leverage with the United States.

Singapore has maritime access to the Strait of Malacca and plays a role as a key trans-shipping hub which means it "is now more important to Washington as a defense partner and logistical host to U.S. forces than Thailand, a formal treaty ally."[196] U.S. Navy deployments make up "one third of all foreign warship visits into Changi Naval Base, which includes berthing facilities purpose-built to handle U.S. aircraft carriers, and over

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[192] Jahyun Chun, "Who Decides Foreign Policy? The Role of National Trauma in Shaping the Influence of Public Opinion in South Korea," *Policy Studies*, March 7, 2021, 9, https://doi.org/10.1080/01442872.2021.1895980.

[193] Chun, 8.

[194] Green et al., *Allies, Partners, and Regional Organizations*, 67.

[195] Gina Harkins, "There Are Now 2,500 US Marines in Australia After Years of Buildup," Military.com, last modified July 25, 2019, https://www.military.com/daily-news/2019/07/25/there-are-now-2500-us-marines-australia-after-years-buildup.html.

[196] Graham, "Southeast Asia in the US Rebalance," 312.

two-thirds of all foreign warship calls into Sembawang base."[197] Singapore's strategic importance was highlighted in a 2020 statement by U.S. Secretary of the Navy Kenneth Braithwaite that alluded to Singapore as a potential location for a reconstituted U.S. Navy First Fleet.[198] In the future, should the U.S. decide to proceed with negotiations for such a move, the Singapore government would hold most of the negotiating power for such an arrangement.

From 2010 to 2016, then Philippine President Benigno Aquino III faced a series of security challenges to include the expansion of Chinese presence in the contested Spratly Islands and a resurgence of Muslim extremism in Mindanao. In response to these challenges, President Aquino "utilized the Philippines' traditional bilateral relationship with the United States as a foundation to improve cooperation with the United States to undertake antiterrorism actions," and then he "secured military and security support from the United States when his government took an aggressive stance towards China."[199] President Aquino was successful in aligning his interests with those of the United States and working to use the historical closeness between the Philippines and the United States to his advantage.

In contrast, the Duterte government faced similar challenges but shirked using the advantages of the U.S.–Philippines relationship to his advantage. Duterte's combative rhetoric and willingness to abrogate key U.S. agreements indicates that he is either not concerned with using the Philippines-U.S. relationship to his advantage or he is using belligerent behavior to hold access at arms distance from the United States. Some evidence indicates that Duterte may be ambivalent towards his relationship with the United States. The Duterte administration was angered by both the United States' inability to halt the

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[197] Graham, 318.

[198] Ian James Storey, "America's Proposed Reactivation of the 1st Fleet Raises Eyebrows and Questions," ISEAS-Yusof Ishak Institute, last modified December 8, 2020, https://www.iseas.edu.sg/media/commentaries/americas-proposed-reactivation-of-the-1st-fleet-raises-eyebrows-and-questions/.

[199] Wen-Chih Chao, "The Philippines' Perception and Strategy for China's Belt and Road Initiative Expansion: Hedging with Balancing," *Chinese Economy* 54, no. 1 (January 2021): 51–52, https://doi.org/10.1080/10971475.2020.1809817.

PRC's island building campaign, and its accusations regarding the human rights abuses of Philippines anti-drug efforts.[200] Subsequently, the government threatened to terminate the VFA and shifted closer to China to increase economic development.[201] However, there are indications that Duterte's actions are attempts to strong-arm both support and recognition from the United States by threatening to shift the Philippines out of its sphere of influence. Because China's rise also threatens Manila's own foreign policy interests the government appears to be pursuing "a policy of leveraging its international relationships by seeking to regionalize the South China Sea dispute through ASEAN and by developing closer defense cooperation with the United States."[202] In respect to the South China Sea arbitration and the issue of island construction President Duterte simultaneously indicated interest in direct discussions with Beijing while also signaling desire for multinational meetings with claimant countries and the United States.[203] The combination of a long colonial history, interpersonal civilian and military relationships, and current strategic necessity indicates that Manila has cards to play to help shift U.S. foreign policy positions in its favor.

b. Application to Sovereignty Policy Change

There is no clear and convincing evidence that the July 2020 policy statement by Secretary of State Michael Pompeo, which refuted Chinese territorial claims to the South China Sea, is result of pressure of regional allies and partner nations. Although some Asian countries welcome the involvement of the United States in the South China Sea as a balance to Chinese encroachment, there are stronger indications which point to the opposite. Many countries with territorial claims to the South China Sea are at best ambivalent and at worst

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200 Chao, 52.

201 Chao, 52.

202 Evan S. Medeiros et al., "The Philippines," in *Pacific Currents*, 1st ed., The Responses of U.S. Allies and Security Partners in East Asia to China's Rise (Santa Monica, CA: RAND Corporation, 2008), 98, http://www.jstor.org/stable/10.7249/mg736af.13.

203 Aileen Baviera, "President Duterte's Foreign Policy Challenges," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 38, no. 2 (2016): 204.

concerned that the United States could incidentally bring open conflict between China and America to their doorsteps.

Amongst ASEAN nations there has been a multitude of differing stances regarding U.S. involvement in the South China Sea. Countries such as Indonesia and Malaysia have consistently avoided picking either the side of China or the United States while some such as Cambodia and the Philippines have openly encouraged great power involvement.[204] According to Felix Chang, a senior fellow at the Foreign Policy Research Institute, "many Southeast Asian leaders see the United States as comparatively meddlesome. It often cajoles other countries over human rights or democracy … and sometimes attempts to foist American-style reforms on them."[205] The potential ramifications of involving the United States further into the South China Sea dilemma gives many ASEAN nations pause, particularly given that they would not be able to agree amongst themselves what the nature of such American involvement would look like. ASEAN as a regional organization also has no interest in bringing the South China Sea debate to the forefront of its issues. ASEAN has consistently avoided addressing the South China Sea territorial dispute, and even in June 2020 after months of belligerent Chinese actions the conflict only warranted two small paragraphs buried at the back end of the Chairman's statement for the 36th ASEAN Summit.[206]

ASEAN has also been attempting to reinvigorate its discussions with China regarding the COC on the South China Sea, particularly in light of China's more recent belligerent activity in this disputed waterway. It is unlikely that most ASEAN countries openly welcomed the July 2020 statement by Secretary Pompeo because of the chances

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[204] Felix K. Chang, "Economic and Security Interests in Southeast Asia," *Orbis* 58, no. 3 (January 1, 2014): 386, https://doi.org/10.1016/j.orbis.2014.05.005.

[205] Chang, 388.

[206] ASEAN, "Chairman's Statement of the 36th ASEAN Summit: Cohesive and Responsive ASEAN" (ASEAN, June 26, 2020), 26, https://asean.org/storage/2020/06/Chairman-Statement-of-the-36th-ASEAN-Summit-FINAL.pdf.

that it would derail COC progress.[207] Only two days after Secretary Pompeo's statement the Malaysian Foreign Minister Hishammuddin Hussein called on Southeast Asian nations to "avoid military posturing as it is not going to help in solving the problem, and we need all the ASEAN countries to agree on that … and that the only way we can face off with China and the U.S."[208] The following month, on August 8, 2020 the ten ASEAN foreign ministers released a statement that addressed their concerns on the increasingly aggressive rhetoric by China and the United States while simultaneously calling on nations "to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability."[209] Based on the convincing nature of Southeast Asian hesitation towards the involvement of the United States in the South China Sea disputes, it is unlikely that the 13 July 2020 policy change was the result of a demand from Asian countries for additional American involvement.

c. Application to U.S.–Philippines MDT Change

On March 1, 2019, then Secretary of State Michael Pompeo clarified that the United States viewed the South China Sea as a part of the Pacific and that any threat to the Philippines in the South China Sea would require the United States to respond.[210] This clarification was unprecedented and came on the heels of a series of aggressive statements by the Philippine government that threatened U.S. interests. In the years and months leading up to this policy clarification there were numerous instances of pressure being applied by the Philippine government in an effort to ensure American commitment to Philippine security.

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[207] Premesha Saha, "Are Asian Allies Backing the United States' New Position on South China Sea?," Observer Research Foundation, last modified July 22, 2020, https://www.orfonline.org/expert-speak/are-asian-allies-backing-the-united-states-new-position-on-the-south-china-sea/.

[208] Noah Lee and Drake Long, "South China Sea: Malaysia Urges Nations to Stand Down from 'Military Posturing,'" *Benar News*, July 15, 2020, https://www.benarnews.org/english/news/malaysian/South-China-Sea-07152020152750.html.

[209] ASEAN, "ASEAN Foreign Ministers' Statement: The Importance of Maintaining Peace and Stability in Southeast Asia" (ASEAN, August 8, 2020), 1, https://asean.org/storage/2020/08/FINAL-ASEAN-FM-Statement-on-Peace-and-Stability-in-Southeast-Asia-Region-18.2.pdf.

[210] Pompeo, *Remarks with Philippine Foreign Secretary Teodoro Locsin, Jr. at a Press Availability*.

In December of 2018, Philippine Defense Secretary Delfin Lorenzana ordered a review of the MDT in order to prove its relevance to the future of Philippine defense policy.[211] Secretary Lorenzana declared that the review was intended to determine if the defense treaty was still in the Philippines' "national interest" and stated that the document would be reviewed in its entirety, implying that the review would include an appraisal of South China Sea issues.[212] This move, which effectively threatened the United States with the abrogation of the U.S.–Philippines MDT, appears to be part of the Philippines' attempt to execute a foreign policy that is more independent from the United States. By calling for a review of the MDT, Secretary Lorenzana applied direct pressure to the U.S. in a move apparently aimed at making the United States clarify the scope of the MDT. Manila's signal to end the MDT posed significant risk to U.S. access to the Philippines because the MDT undergirds the legitimacy of the EDCA and VFA. Effectively, the United States would have lost all access to a key ally that is critically positioned in the South China Sea. Since only three months later the United States clarified the scope of the MDT in a way that it had avoided for over sixty years it appears that the Philippines influence campaign worked.

It is in the national interest of the Philippine government to depict its alliance with the United States as applying to the South China Sea disputes. The Philippines and its island territories are on the frontline of Chinese maritime activities in the South China Sea where they have been exposed to "gray zone" tactics, or tactics that "skirt the definition of war to avoid prompting a kinetic response."[213] Accordingly, there have been Philippine government officials who have publicly declared that America must defend the Philippines' territory and citizens should a dispute erupt over the South China Sea.[214] In

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211 Bich T. Tran, "Presidential Turnover and Discontinuity in the Philippines' China Policy," *Asian Perspective* 43, no. 4 (2019): 639, https://doi.org/10.1353/apr.2019.0026.

212 Jelly Musico, "Lorenzana Orders Review of 67-Year-Old US-PH Military Pact," Philippine News Agency, last modified December 28, 2018, https://www.pna.gov.ph/articles/1057639.

213 Adrien Chorn and Monica Michiko Sato, "Maritime Gray Zone Tactics: The Argument for Reviewing the 1951 U.S.–Philippines Mutual Defense Treaty," *New Perspectives in Foreign Policy*, no. 18 (October 1, 2019): 3–9.

214 Tongfi Kim, "Sino-Philippine Disputes and the US-Philippines Alliance," in *US Alliance Obligations in the Disputes in the East and South China Seas* (Frankfurt am Main, Germany: Peace Research Institute Frankfurt, 2016), 20, http://www.jstor.org/stable/resrep14540.5.

May of 2014, Philippines congressional representative Walden Bello claimed that it was absolutely necessary for the United States to clarify that the Philippines' South China Sea claims were explicitly protected under the U.S.–Philippines MDT in a similar fashion to how the Senkaku Islands were declared to apply to the U.S.-Japan defense treaty under the Obama administration.[215] The Philippines has a clear motivation for its own security interests, and incentives that it can dangle in front of Washington in the form of the MDT, EDCA, and VFA. It is therefore highly likely that the unpredictable nature of U.S.-Philippine politics helped to influence the U.S. clarification of its MDT.

C. CONCLUSION

The intent of this chapter was to evaluate the potential role that allies and partner countries may play in shaping U.S. policy changes with respect to two key South China Sea issues. Philippine influence efforts adequately explain why the Trump administration chose to clarify the applicability of its U.S.–Philippines MDT. The government in Manila was able to exploit its role as a strategically important part of American policy in Southeast Asia in order to gain firmer U.S. security commitments towards the defense of Philippine interests in the South China Sea.

However, the sovereignty policy shift remains best explained by the balance of power shift and Chinese belligerence discussed in Chapter III. There is not sufficient evidence to show that either a demand or an influence campaign on the part of U.S. allies and partners drove the U.S. policy change regarding the South China Sea sovereignty issue. There are too many conflicting policy interests between the varying claimant nations to desire involvement from another major global power. Furthermore, since the originally neutral U.S. policy served to mitigate appearing partial to one claimant over another, it is unlikely that the United States would allow itself to be unduly influenced by a particular country on this issue.

215 Tran, "Presidential Turnover and Discontinuity in the Philippines' China Policy," 632.

V. CONCLUSION

In both 2019 and 2020, the United States made clear breaks with previous policy stances regarding South China Sea sovereignty and the U.S.–Philippines MDT. This thesis has traced the development of these policy changes and attempted answer why these two policy changes occurred. I propose and examine two explanations for these changes: First, the United States was reacting to China – either as part of a balance of power shift or as a result of specific Chinese actions, and second, that the United States reacted to pressure from allies and partner countries.

The United States' decision to update its policies was prompted by a combination of the shifting balance of power, Chinese actions, and the influence of regional allies. The shifting balance-of-power provides an overarching reason for why the United States changed both policies. As China continues to grow economically, diplomatically, and militarily, the United States has to position itself as best it can to maintain its own hegemonic influence in Asia. The reaction to specific Chinese activity best explains the timing and rationale behind the 2020 sovereignty policy shift, given the encroaching nature of Chinese actions in the South China Sea at the height of the coronavirus pandemic. The influence of allies and partners explanation best describes the timing and rationale behind the U.S.-Philippine MDT policy given the tumultuous relationship yet strategic need that the United States has with the Philippines.

The remainder of this chapter will summarize my findings, discuss the positions of the new Biden administration on these policy areas, and discuss potential implications for the future of U.S. policy in the South China Sea and Southeast Asia.

A. SUMMARY OF FINDINGS

In Chapter III, I tested the first hypothesis: that the United States' actions were either a reaction to a broader balance-of-power shift or a reaction to specific belligerent activities by the PRC. Evidence indicates that the United States has altered its Asia policy platforms in response to a shifting economic, military, and diplomatic balance-of-power in favor of China. Prior to these policy changes, the United States started a trade war with

China, initiated new defense development projects, and strengthened its bilateral relationships through new security arrangements such as the Philippine EDCA and the Quad security dialogue with Japan, Australia, and India. The change in the sovereignty policy is part of a broader reaction to the balance-of-power shift. The new policy pitted against China is aimed to strike a diplomatic blow to the PRC, endear the United States to its Asian allies, and assert U.S. regional influence. In a similar fashion, the language, timing, and events surrounding the U.S.–Philippines MDT policy change also appears to be a reaction to a balance-of-power shift. U.S. officials refer to the benefits of partnership with the United States as opposed to partnership with China and seek to reassure the Philippines of U.S. commitment to their defense, at a time when the Philippine archipelago has increased rapidly in strategic importance.

I also investigated whether or not specific instances of Chinese belligerent activity could have instigated these policy changes. There has been a long history of provocative interactions between Chinese forces and the various civilian and military fleets of their neighboring countries in the South China Sea. In addition to military ship-to-ship confrontations, land reclamation campaigns, and standoffs with civilian fishing fleets, the Chinese instigated six months-worth of provocative actions in the beginning of 2020. These activities included aggressiveness by Chinese military vessels, the sinking of a Vietnamese boat by PAFMM forces, the creation of new research stations, and the establishment of new administrative zones in the South China Sea. The U.S. territorial sovereignty policy change coincided with a series of U.S. military shows-of-force to include aircraft and ship deployments to the South China Sea in response to Chinese actions.

In Chapter IV, I examined the second explanation: that the United States' policy changes were driven by the influence of ally and partner nations in Asia. There is historical evidence which supports U.S. policy as being responsive to the external influence of allies and partners. U.S. military force adjustments in Okinawa, the willingness of the U.S. to protect Japanese interests in the Senkaku Islands, funding negotiations for U.S. troops based in South Korea, negotiations to forward deploy troops to Australia, and overtures to expand presence in and around Singapore show that Asian nations hold sway over the direction of U.S. policy actions. Philippine government officials threatening the abrogation

of U.S. access to key installations and politicians calling on the United States to clarify its security commitments put significant pressure on the United States to act. The resulting policy change adds to the evidence that U.S. policy is influenced through its bilateral relationships.

My overall findings are as follows. I find that the shifting balance-of-power explanation adequately addresses why the United States changed its policies regarding sovereignty disputes and the U.S.–Philippines Mutual Defense Treaty. China has significantly expanded its interests in Asia at the expense of the United States and has done so through a combination of economic, military, and diplomatic activity. The United States lost diplomatic ground among Southeast Asian countries following weak responses to Chinese island building and military infrastructure development. This was compounded by the significant regional economic power held by the PRC and increasing Chinese diplomatic influence in countries that previously placed great value their relationships with the United States. By changing stance on these two policy areas the United States gave unambiguous support to the Philippines and smaller Southeast Asian countries facing a dominating Chinese presence in the South China Sea.

I also find, in addition to the balance-of-power explanation, the 2020 sovereignty policy shift closely follows with multiple instances of Chinese belligerence. The Chinese government renewed provocative activity in the South China Sea in the beginning of 2020 during the height of the coronavirus panic and these actions appeared as an attempt to further the PRC's South China Sea foothold while the rest of the international community was distracted. The large number of hostile interactions with neighboring fishing fleets and navies, combined with the attempt to codify control over their occupied features, was reacted to with a significant show of U.S. military force. The Chinese provocations also spurred the United States into declaring its direct opposition to Chinese territorial claims as the United States did not want a repeat of the failed Scarborough Shoal mediation in 2012.

However, with respect to the U.S. policy change on the MDT, there is inadequate evidence to show that specific Chinese actions also drove this shift. In the lead-up to the 2019 statement by Secretary Pompeo, there is an absence of similar Chinese activity that

can be directly linked to an American response. Notably, three months prior to the policy shift, the Philippines Defense Secretary made a point to publicly call for a complete review of the U.S.–Philippines MDT and indicated that an unsatisfactory conclusion to such a review would result in the termination of the treaty. As a result of further investigation, I find that the 2019 U.S.–Philippines MDT policy change was driven by a combination of the balance-of-power shift and the influence of ally and partner countries. The call to review the MDT put significant pressure on the United States to clarify its defense commitments to the Philippines. The United States was put in the position of losing key access to Philippines military facilities for forward deployed forces and it acted to maintain that access and bolster the U.S.–Philippines defense relationship.

Both of these explanations play a role in answering why the United States changed its policies. The United States has generally acted to revert the changing balance-of-power while simultaneously catering the timing of its changes based on provocative actions of China and the influence of allies and partners.

B. IMPLICATIONS FOR U.S. POLICY IN THE SOUTH CHINA SEA

In the first five months of the Biden administration, the PRC has continued to instigate provocations short of open conflict in the South China Sea. For a period of several months hundreds of Peoples' Armed Forces Maritime Militia fishing vessels staged themselves at anchor inside and around Whitsun Reef, a maritime feature located well inside the Philippines' claimed exclusive economic zone.[216] At the height of the crisis in February and March 2021 the Philippine Coast Guard documented over 200 Chinese vessels surrounding the reef.[217]

The Biden Administration has twice reaffirmed the policy changes regarding sovereignty and the U.S.–Philippines MDT. The first time was during a phone call between Secretary of State Antony Blinken and Philippine Secretary of Foreign Affairs Teodoro

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[216] Asia Maritime Transparency Initiative, *Caught on Camera: Two Dozen Militia Boats at Whitsun Reef Identified* (Washington, DC: Center for Strategic and International Studies, 2021), https://amti.csis.org/caught-on-camera-two-dozen-militia-boats-at-whitsun-reef-identified/.

[217] Asia Maritime Transparency Initiative.

Locsin in January 2021, when Secretary Blinken "underscored that the United States rejects China's maritime claims in the South China Sea," and "pledged to stand with Southeast Asian claimants in the face of PRC pressure."[218] The second reaffirmation occurred on April 8, 2021, when Secretary Blinken confirmed "the applicability of the 1951 U.S.-Philippine Mutual Defense Treaty to the South China Sea."[219]

With both of these policy changes the United States has positioned itself against Chinese interests in the South China Sea and committed itself to defending the Philippines as a part of its treaty alliance. These are significant changes to historical policy and could imply that a new set of red lines exists which could trigger open conflict between PRC and U.S. forces. If the Chinese were to attack the Philippine Coast Guard or China were to try to take the reef by force, then according to the new U.S. policy position the United States might be called into the conflict. The fear of a larger war sparked by missteps of an allied country could be realized if the Philippines were to instigate such a crisis.

The United States has also incurred additional risk to its international stature should it come up short in its new stance on the sovereignty issue or fail to defend the Philippines in the South China Sea. Were this to happen, the United States would risk appearing uninterested and unreliable as an alliance partner. Failure to adhere to these new principles could be highly detrimental to the already precarious opinion of the United States among Asian countries and it might embolden the PRC to push the limits of influence and territorial expansion.

In light of these policy changes the United States will undoubtedly face a China that is increasingly convinced that U.S. actions are aimed to contain China's economic, diplomatic, and military supremacy in Asia. The Whitsun Reef crisis may indicate that China is willing to continue provocations below the level of war and could cause unrest in

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[218] Office of the Spokesperson, "Secretary Blinken's Call with Philippine Secretary of Foreign Affairs Locsin" (U.S. Department of State, January 27, 2021), https://www.state.gov/secretary-blinkens-call-with-philippine-secretary-of-foreign-affairs-locsin/.

[219] Office of the Spokesperson, "Secretary Blinken's Call with Philippine Secretary of Foreign Affairs Locsin" (U.S. Department of State, April 8, 2021), https://www.state.gov/secretary-blinkens-call-with-philippine-secretary-of-foreign-affairs-locsin-2/.

the South China Sea but stop short of actions which trigger an international response. This is dangerous ground, because actions in this maritime grey zone can undermine a U.S. South China Sea policy primarily designed to confront direct threats to sovereignty and security.

The United States Navy must be prepared to act as the spear tip for these policies in times of conflict and remain the balancing force for free use of the seas in peacetime. Navy leaders should also be cognizant of the potential for escalation if it chooses to act as this spear considering that it does not have easy access to respond rapidly given its lack of forward operating bases inside the South China Sea. Naval forces should be prepared for decisive action in addition to FONOPS and routine patrols because it will take proactiveness to prevent the future occupation of maritime features. Not only should the United States Navy continue to patrol these waters, but with U.S. and Philippine Coast Guard assistance it should protect the lawful territorial rights of aggrieved nations in the South China Sea.

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