

A satellite map of East and Southeast Asia, showing the South China Sea and surrounding landmasses. The land is depicted in shades of green and brown, while the water is a deep blue. The map is oriented with North at the top.

DYNAMICS OF ASSERTIVENESS IN THE SOUTH CHINA SEA

CHINA, THE PHILIPPINES, AND VIETNAM,
1970–2015

NBR

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Andrew Chubb

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China, the Philippines, and Vietnam, 1970–2015

Andrew Chubb

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— FOREWORD —

As part of the Maritime Awareness Project (MAP) at the National Bureau of Asian Research (NBR), this NBR Special Report by Andrew Chubb provides original data-focused analysis of historical trends in the interstate behaviors of China, the Philippines, and Vietnam in the South China Sea. The report draws on both quantitative and qualitative data to produce a measurement of a wide variety of behavioral components of South China Sea territorial disputes.

Building on existing research that has sought to quantify state behavior in the South China Sea, Chubb identifies four categories of assertiveness, defined as statements and actions that advance the claimant state's position in a dispute: declarative, demonstrative, coercive, and use of force. In conjunction with this typology, events can be categorized by the domain of contestation (domestic, diplomatic, and physical), specific issue, target country, and geographic area. Previous attempts to capture variations in state activities below the threshold of threat or military force have been limited, resulting in a narrowed view of the range of efforts that countries have employed to strengthen their claims in maritime disputes. Through this study, Chubb has determined major implications from these countries' behavior. Key findings include that China's assertiveness has had little to do with U.S. policy or strategic competition, and that Association of Southeast Asian Nations (ASEAN) claimants, having neutralized their internal disputes over the South China Sea, have a vested interest in resolving vestigial intra-ASEAN disputes as a political signal toward China.

Within this report are several detailed graphics highlighting key trends of assertive behavior between China, the Philippines, and Vietnam. The graphs and charts draw on standardized events data from the Maritime Assertiveness Times Series (MATS) dataset, which measures the year-on-year changes in these three countries' assertiveness. Unlike other data-based studies of contestation of territory and maritime space in the South China Sea, this project has collected data on the three main states' moves there going back to 1970, when the territorial disputes began to increase in salience. In addition, this report features a contemporary analysis of the post-2015 period, establishing a progressive and relatively comprehensive timeline of South China Sea developments.

The graphics and analysis presented in this report are accompanied by the Maritime Assertiveness Visualization Dashboard (mavd.nbr.org). This is an online interactive feature with dynamic maps and graphs, which are adjustable by widgets that visually capture the buildup over time of assertive state behavior in the South China Sea. This virtual component serves as a tool offering custom visualizations of the MATS data and illustrates the levels of contestation between 1970 and 2015, emphasizing periods of both continuity and change. Through this online resource, the project offers readers the chance to explore key trends and relationships encased in the data and investigate the dimensions of the South China Sea conflict that interest them most. For more information about MAP, which covers maritime security issues in the Indo-Pacific through mapping technology and analysis, please visit <https://map.nbr.org>.

As a highly innovative addition to current research on the South China Sea, this report will serve as a resource for experts seeking to enhance their understanding of state behavior with regard to the region's territorial and maritime disputes. The underlying data offers a rich basis for

further academic studies, and its findings and implications will also help inform policymakers' efforts to effectively manage state contestation within the area, while serving as a blueprint for measuring assertiveness in other maritime disputes in the Indo-Pacific region.

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Dynamics of Assertiveness in the South China Sea

China, the Philippines, and Vietnam, 1970–2015

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EXECUTIVE SUMMARY

This report examines how the South China Sea dispute has changed over time using a unique dataset of assertive moves by three key claimant states—China, the Philippines, and Vietnam—from 1970 to 2015.

MAIN ARGUMENT

Located in the heart of Southeast Asia and linking the Indian and Pacific Oceans, the South China Sea comprises a varied set of geographic spaces that are subject to multiple layers of dispute. Grasping the dynamics of contestation in the South China Sea, therefore, requires consideration of what types of actions the contestant states have been taking, when, and where. How have states advanced their claims over the vast, resource-laden maritime geographies of the South China Sea? To what extent has contestation over these maritime spaces taken place physically on the water versus actions in the diplomatic or domestic administrative domains? Have salient energy or fishery resources been the most likely issues to prompt assertive moves, or have security, administrative, or political concerns predominated? Parallel time series data measuring changes in the behavior of the three most active claimants in the South China Sea shows that the answers to these crucial questions vary for the three claimant states across different time periods and geographies. The result is a dynamic picture of how power has overtaken proximity as the key factor shaping the course of the dispute—one that can be explored interactively in the accompanying online Maritime Assertiveness Visualization Dashboard (MAVD).

POLICY IMPLICATIONS

- China's assertiveness in the South China Sea has less to do with U.S. global power and international policy than is commonly assumed.
- Deterrence strategy should focus on economic measures rather than actions that raise the risk of military escalation. Washington could, for example, incentivize restraint in the South China Sea by linking the issue to trade negotiations.
- ASEAN countries should take steps toward resolution of the largely dormant intra-ASEAN disputes in the South China Sea. Even symbolic gestures in this direction are likely to provide Beijing with incentives for moderation.
- All parties should prioritize the pursuit of a joint fisheries management scheme.
- Further research should investigate crisis-management techniques and the conditions for moderation and compromise in state conduct at sea.

Introduction: Maritime Contestation and the Concept of Assertiveness

Located in the heart of Southeast Asia, the South China Sea comprises a range of complex and varied maritime spaces. Its 3.5 million square kilometers extend from the equator almost to the Tropic of Cancer, encompassing waters that vary widely in depth, oceanographic dynamics, and resource endowments, with major implications for human activity. The weather varies from mild and tourist-friendly to wild and cyclonic, while its ocean topography ranges from paradisaical lagoons to unforgiving swathes of open water. Potential resource deposits are concentrated in particular areas, while fisheries are dynamic, seasonal, and in many cases migratory. The disputed islands and reefs, meanwhile, are by no means evenly distributed across the sea. Some parts are both hotly contested and peppered with navigational hazards, while safer parts are the routes of choice for the busiest shipping lanes in the world. Grasping the dynamics of contestation in the South China Sea, therefore, requires consideration of where, when, how, and why the contestant states have advanced their claims.

Maritime disputes have moved rapidly toward the center of world politics in the early 21st century, driven by increasing interstate tensions in maritime spaces of East Asia, the world's most economically vibrant region. Within this contested geography, the disputes in the South China Sea stand out for their political complexity. Layered on top of disagreements over ownership of islands and reefs in the Paracel and Spratly archipelagos, there are disputes over maritime resources, including energy and fisheries, and competing international legal norms for naval activities and scientific research at sea. In total, seven governments—the People's Republic of China (PRC), the Philippines, Vietnam, Taiwan, Malaysia, Brunei, and Indonesia—are direct parties to one or more of these disputes, while the United States and regional non-claimants, such as Japan, Australia, Singapore, and other Association of Southeast Asian Nations (ASEAN) countries, as well as increasingly the European Union, the United Kingdom, and India, perceive interests in maintaining existing international law on maritime entitlements, and/or a balance of military-strategic power in the region.

Today, state leaders, policy analysts, and international relations academics find rare agreement on the heightened risk of major conflict in the region's maritime littoral.¹ Yet social scientific investigations have only recently begun to explore the dynamics of state contestation at sea—a hostile environment for humans where forms of state presence, ways and means of exercising control, and social conventions often vary greatly from those on land. How have states advanced their claims over the vast, resource-laden maritime geographies of the South China Sea? Has contestation over these maritime spaces primarily been a physical matter on the water, or is it a contest of diplomatic, or even civilian administrative, domains? Have salient energy or fishery resources been the most likely issues to drive sharpening tensions, or have security, administrative, and political concerns predominated? Answers can be expected to vary for different claimant states, in different time periods, and across different geographic areas. This report explores such

¹ Lee Hsien Loong, "Scenarios for Asia in the Next 20 Years" (speech at the Nikkei Conference, Tokyo, May 22–23, 2014), <https://www.pmo.gov.sg/Newsroom/scenarios-asia-next-20-years>; Michael D. Swaine et al., *Conflict and Cooperation in the Asia-Pacific: A Strategic Net Assessment* (Washington, D.C.: Carnegie Endowment for International Peace, 2015); David C. Gompert, Astrid Stuth Cevallos, and Cristina L. Garafola, *War with China: Thinking through the Unthinkable* (Santa Monica: RAND Corporation, 2016), 8; International Crisis Group, "Stirring up the South China Sea (I)," Asia Report, no. 223, April 2012, <https://www.crisisgroup.org/asia/south-east-asia/south-china-sea/stirring-south-china-sea-i>; and "Security Studies in a New Era of Maritime Competition," *Security Studies* 29, no. 4 (2020).

questions via original time series data measuring changes in the behavior of the three most active claimants in the South China Sea—the PRC, the Philippines, and Vietnam—from 1970 to 2015.

The Quantitative Study of Maritime Disputes

Past attempts to use quantitative methods to study interstate disputes have produced several useful findings but also raised some key challenges, particularly in the case of China. The most comprehensive source of data on maritime disputes worldwide is the Issue Correlates of War (ICOW) project, founded in 1997 by Paul Hensel and applied to the maritime domain by Sara Mitchell. The ICOW data indicates that the Asia-Pacific's maritime disputes have been more likely to produce militarized confrontation than other regions of the world.² However, in common with other established approaches to the study of territorial disputes, and the international relations discipline's focus on explaining and preventing war, the ICOW data focuses on military escalation and compromise. This means it does not capture the ways that states compete to advance their interests below the threshold of military confrontation. This report deploys a conceptual framework designed to capture such variation.

Another key challenge to any attempt at quantifying a state's maritime dispute behavior is the potential for decontextualization of individual cases. The significance of state action in a contested maritime space often depends heavily on the context, because states' observed behaviors today emerge from a background of their own and others' past actions. Rather than approaching state behavior as a series of discrete events, then, the framework deployed here produces measurements of year-on-year changes in state behavior. Focusing on changes in behavior—or moves—rather than events per se helps account for the context by situating each observed state action within a stream of data points for its earlier actions.³

A third challenge is a skewed supply of information due to the greatly increased international attention on China's maritime disputes in recent years. In 1988, when China attacked Vietnam in the Spratly Islands and seized six reefs, the confrontation was little more than a blip on the international media agenda. Today, the South China Sea is seen as one of the world's conflict hot spots, with volumes of information available on daily developments. This bias in the information supply tends to exaggerate recent changes in each side's behavior. Countering this bias toward observations of recent events requires a conscious effort to mine historical sources that can help identify changes in state policies that occurred in the more distant past and may have been less widely known, or not publicly announced, at the time when they occurred. With the passage of time and the availability of new sources, more of these cases have come to light.

Several studies have sought to quantify some or all of the claimants' activities in the South China Sea, though none has yet attempted to provide a comprehensive picture of the dynamics of state contestation. Chris Yung and Patrick McNulty's 2015 study assembled a database of claimant activity in the South China Sea since 1995. Being compiled from reports collected by the Open Source Center, however, the quantity of observations in the dataset in a given time period was a function of not only the actual levels of activity but also the degree of interest and attention toward the issue among U.S. government analysts at the time. In addition, the activities of countries

² Sara McLaughlin Mitchell, "Clashes at Sea: Explaining the Onset, Militarization, and Resolution of Diplomatic Maritime Claims," *Security Studies* 29, no. 4 (2020): 637–70.

³ This metaphor on the nature of policymaking and policy change found its classic expression in John Kingdon's "multiple streams" approach to public policy analysis. See John Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (Harlow: Pearson, 2011).

with more open political systems, such as the Philippines, were likely to be overrepresented in comparison with more guarded claimants like Vietnam and the PRC.⁴

Another data-focused study is the China Power Project's 2016 timeline of incidents in the South China Sea as identified through systematic monitoring of open-source reporting. While useful, this resource only covers the period from 2010 onward and is scoped to include only on-water clashes rather than the full range of state activities in maritime disputes.⁵ Ketian Zhang's 2019 study offers a systematic time series of the PRC's coercive acts in the South China Sea since 1990. However, its focus is limited to Beijing's responses to two specific kinds of behaviors by its Southeast Asian co-claimants: the development of PRC-claimed energy resources and actions that consolidate control of PRC-claimed islands.⁶

This report seeks to build on these existing efforts at quantification by assembling time series data capturing year-on-year changes in the three main claimant countries' behavior in the South China Sea since 1970, when disputes first became salient. It also introduces a series of new variables to apprehend the dynamics of state contestation in East Asia and maritime disputes more generally. The starting point is a typology of assertive actions that captures the key qualitative variations in state behavior in maritime and territorial disputes.⁷

Assertiveness as a Variable

The word "assertiveness" has arguably defined the English-language discourse on the PRC's recent policies on its maritime periphery—and perhaps its foreign policy in general.⁸ Yet the term has remained ill-defined. The Merriam-Webster dictionary defines assertiveness as "bold or confident statements and behavior," which covers the array of methods—both verbal and physical, though not necessarily directly confrontational—by which states pursue their interests during disputes like those in the South China Sea. Adapting this standard definition to the context of maritime and territorial disputes, this report interprets assertiveness as statements and behaviors that strengthen a state's position in a dispute.

This definition breaks down assertiveness in international disputes into observable events—statements and behaviors—that can be identified without the need for strong subjective judgments about an actor's state of mind.⁹ Another advantage of this definition is that it captures the broad sweep of state actions over a contested possession. Unless a dispute is dormant or subject to a cooperative agreement that simultaneously strengthens both parties' positions, such as joint

⁴ This may explain, for example, why the number of Vietnamese actions captured in the dataset is lower than the number by the Philippines. See Christopher D. Yung and Patrick McNulty, "An Empirical Analysis of Claimant Tactics in the South China Sea," National Defense University, Institute for National Strategic Studies, August 1, 2015, <https://inss.ndu.edu/Media/News/Article/699439/an-empirical-analysis-of-claimant-tactics-in-the-south-china-sea>; and Patrick McNulty and Christopher D. Yung, "China's Tailored Coercion and Its Rivals' Actions and Responses: What the Numbers Tell Us," Center for a New American Security, January 26, 2015, <https://www.cnas.org/publications/reports/chinas-tailored-coercion-and-its-rivals-actions-and-responses-what-the-numbers-tell-us>.

⁵ "Are Maritime Law Enforcement Forces Destabilizing Asia?" Center for Strategic and International Studies (CSIS), China Power Project, August 18, 2016, <https://chinapower.csis.org/maritime-forces-destabilizing-asia>.

⁶ Ketian Zhang, "Cautious Bully: Reputation, Resolve, and Beijing's Use of Coercion in the South China Sea," *International Security* 44, no. 1 (2019): 117–59.

⁷ Andrew Chubb, "PRC Assertiveness in the South China Sea: Measuring Continuity and Change, 1970–2015," *International Security* 45, no. 3 (2020/21): 79–121.

⁸ Alastair Iain Johnston, "How New and How Assertive Is China's New Assertiveness?" *International Security* 37, no. 4 (2013): 7–48; and Björn Jerdén, "The Assertive China Narrative: Why It Is Wrong and How So Many Bought into It," *Chinese Journal of International Politics* 7, no. 1 (2014): 47–88.

⁹ Clinical psychology's concept of assertiveness as "an adaptive style of communication in which individuals express their feelings and needs directly while maintaining respect for others" (*APA Dictionary of Psychology*) is evidently not what security scholars and analysts have had in mind in using the term.

resource development, merely maintaining a disputed claim involves some level of assertiveness.¹⁰ Assertiveness can thus be understood as a variable whose relative value is determined by the number of assertive acts introduced, maintained, or discontinued over a given time period.

However, assertive conduct thus defined can vary widely in its implications for international stability. By design, the concept covers acts ranging from verbal statements to the deployment of military force. The next step, therefore, is to account for the qualitative variations in assertive conduct by drawing distinctions between different types of assertive actions. Standard typologies of state behavior in territorial and maritime disputes have generally neglected important variations below the use of force. M. Taylor Fravel's seminal study of China's territorial disputes, for example, disaggregates state behavior into "compromise," "delay," and "use of force."¹¹ Applying this typology, claimants in the South China Sea have engaged in nearly continuous delaying ever since the 1970s. For this project, four types of assertive actions in maritime and territorial disputes have been identified, based on their increasingly serious implications for the positions of rival claimants: declarative, demonstrative, coercive, and use of force.

As summarized in **Table 1**, this typology categorizes state behaviors according to the highest category for which they meet the criteria.¹² Thus, patrolling a disputed area is classified as a demonstrative behavior, though it may also involve declarative verbal proclamations of the state's

TABLE 1 Four-way typology of assertiveness in maritime and territorial disputes

Escalatory potential	Types of assertiveness
	Use of force • Application of military force or direct seizure and occupation of disputed possession.
	Coercive • Threat or imposition of punishment: may be verbal, diplomatic or administrative, economic punishment, warning shots, physical interference with foreign activities in disputed area.
	Demonstrative • Unilateral administration of disputed possession that does not involve confrontation with rival claimants: patrols, surveys, resource development, construction of infrastructure, state-sanctioned tourism or activism, domestic judicial proceedings, and cooperative agreements with third parties.
	Declarative • Verbal assertions via non-coercive statements, diplomatic notes, domestic legislation and administrative measures, international legal cases.

¹⁰ For example, simply maintaining an official presence in a disputed area could weaken rivals' positions, as principles of prescriptive acquisition have often been applied in state-state relations. Surya Prakesh Sharma, *Territorial Acquisition, Disputes and International Law* (The Hague: Kluwer Law International, 1997), 108–15; and Brian Taylor Sumner, "Territorial Disputes at the International Court of Justice," *Duke Law Journal*, no. 53 (2004): 1787–88.

¹¹ M. Taylor Fravel, *Strong Borders, Secure Nation* (Princeton: Princeton University Press, 2008).

¹² For a general discussion of ordinal classification schemes such as this one, see Scott H. Beck, "Decomposition of Inequality by Class and by Occupation: A Research Note," *Sociological Quarterly* 31, no. 1 (1991): 141, 147–49. Other examples include Hermann's typology of foreign policy change and the three-point scale of diplomatic and military conflict in territorial disputes in Paul K. Huth, *Standing Your Ground: Territorial Disputes and International Conflict* (Ann Arbor: University of Michigan Press, 1998), 105.

claim to the area. Likewise, direct interference with another state's construction project or resource survey will belong unambiguously in the coercive category, even if it also entails declarative and demonstrative activities. Direct seizure of a particular disputed land or sea area will constitute a use of force, even though it usually also involves a buildup of administrative presence (demonstrative), threats of punishment (coercive), and verbal claims (declarative).

Distinguishing these four qualitatively different categories of assertive state moves in maritime disputes makes it possible to identify changes in the quantitative level and qualitative type of assertiveness in a state's behavior across time. Assertive moves—changes in behavior—occur where the state's observed actions constitute a new method of advancing the claim unseen in previous time periods; more frequent than in previous time periods, such as an increase in patrol activity or resource exploration and exploitation; or applied over a broader geographic area than in previous time periods.

The framework outlined in this section, comprising a tractable definition of assertiveness in territorial and maritime disputes as well as a typology of qualitatively distinct, assertive state actions, will enable a relatively rigorous investigation of the continuities and changes in state conduct in territorial disputes. This report focuses on assertive moves by the three key claimants in the South China Sea: China, the Philippines, and Vietnam.

The MATS Dataset

This report and its accompanying online feature on the National Bureau of Asian Research's website¹³ are based on the Maritime Assertiveness Time Series (MATS) dataset, a uniquely detailed quantitative resource measuring the year-on-year changes in assertive behavior by the Philippines, Vietnam, and China in the South China Sea between 1970 and 2015. The dataset draws not only on open-source press archives such as Factiva, as earlier studies have done, but also on recent historical works by foreign journalists and academics as well as Chinese party-state materials, accounts by Vietnamese government experts, information releases from Hanoi's agencies, documents submitted by the Philippine government to the 2013–16 arbitral tribunal, and U.S. State Department cables.¹⁴

A range of PRC reference materials intended to inform Chinese policymakers of events in the maritime domain and report on the implementation of policies were particularly useful. These include internally circulated chronologies on major events in the South China Sea covering the period up to 1996,¹⁵ advisory reports on the situation in the South China Sea from 2002 to 2009,¹⁶

¹³ Please visit mavd.nbr.org to view the interactive Maritime Assertiveness Visualization Dashboard. The MAVD offers dynamic, interactive maps of the three claimants' assertive moves across the South China Sea from 1970 to 2015, along with customizable charts, case details, and data downloads.

¹⁴ See, for example, "Sovereignty over the Two archipelagos of Hoang Sa and Truong Sa (Reference Book)," Vietnam Authority of Foreign Information Service, June 15, 2012, <http://www.vietnam.vn/sovereignty-over-the-two-archipelagos-of-hoang-sa-and-truong-sa-reference-book-c1070n20120607174001561.html>; Do Thanh Hai, *Vietnam and the South China Sea: Politics, Security and Legality* (Milton Park: Routledge, 2019); Bill Hayton, *The South China Sea: The Struggle for Power in Asia* (New Haven: Yale University Press, 2014); and "The South China Sea Arbitration (the Republic of the Philippines v. the People's Republic of China)," Permanent Court of Arbitration, case no. 2013-19 (2016), <https://www.pcacases.com/web/view/7>.

¹⁵ State Oceanic Administration of the People's Republic of China (PRC), "Dashiji" [Chronicle of Major Events], yearly for 1963–2003; Zhang Liangfu, *Nansha Qundao Dashiji* [Chronicle of Major Events in the Spratly Islands] (Beijing: Zhongguo Kexue Yuan, 1996); "Feilubin qinfan woguo Nansha Qundao de qingkuang" [Situation of the Philippines Encroaching on Our Spratly Islands], in *Nansha Zigu Shu Zhonghua* [The Spratlys Have Belonged to China since Ancient Times], ed. Lei Ming (Guangzhou: Guangzhou Junqu Silingbu Bangongshi, 1988), 226–44; "Waiguo qinzhū wō Nansha daojiāo qingkuang" [Situation of Foreign Countries' Occupation of China's Spratly Islands and Reefs], *Nansha Zigu Shu Zhonghua*, 203–7; and "Yuenan Xigong kueilēi zhengquan qinzhān woguo Nānhai Zhudao qingkuang" [Situation of the Saigon Puppet Regime's Occupation of Our South China Sea Islands], *Nansha Zigu Shu Zhonghua*, 208–25.

¹⁶ *Nānhai xingshi pinggu baogao* [Evaluative Report on Developments in the South China Sea] (Haikou: Zhongguo Nānhai Yanjiuyuan, 2002–9).

and yearbooks of PRC government agencies covering the state's civilian maritime activities from the 1970s to the present.¹⁷

Cases entered the dataset through a two-stage process. The first was the generation of a master timeline file into which any potentially relevant historical developments in the South China Sea disputes encountered by the author in the course of researching the issue were entered. The second stage involved coding content from the master timeline that met the definition of assertive activity, applying the four-way typology outlined above.

The MATS dataset used in this report comprises parallel time series of China's, the Philippines', and Vietnam's assertive moves from 1970 to 2015, along with variables designed to capture dimensions of the states' contestation of the South China Sea beyond the four types of assertive actions described in Table 1. In particular, the report identifies the domain of contestation—domestic, diplomatic, or physical—in which the claimant states have advanced their interests in the South China Sea. It also explores the specific issues on which state efforts have focused, such as military control, civilian administration, energy, fisheries, and political support. Finally, the MATS dataset includes data on the targets, or other countries affected, of each state's new or expanded assertive behavior, as well as the geographic area of the sea that actions or statements concern.

The MATS dataset has at least three important limitations. First, it is inevitably incomplete, given that states and their adversaries in a maritime or territorial dispute may have incentives to keep incidents and other interactions in disputed areas secret. To mitigate the risk of unobserved events, the author consulted historical sources from contending sides of the dispute and focused particular attention on identifying events from the period before the dispute became subject to widespread English-language media and scholarly attention. In recognition of the fact that events in the distant past are both harder to verify and less likely to be found in the first place, stricter evidentiary standards were applied for more recent events. Methodologically, this is appropriate for a study seeking to identify and explain change because it reduces the probability that changes detected will be spurious or overstated due to recency bias in the information supply. It should also increase analytic confidence in the veracity of any recent changes that are identified.

Second, while the methodology used can capture moderations of behavior—that is, shifts to fewer or less escalatory assertive actions over a given period—it does not account for actively conciliatory state actions such as agreements over resource exploitation or management, joint patrols, and other confidence-building measures. While it would be desirable to capture both competitive and cooperative aspects of dispute behavior in one dataset, in this report cooperative actions are bracketed due to practical and analytic considerations. Practically, cooperation by definition requires two or more states to occur, and states have strong domestic political reasons to avoid divulging any willingness to compromise. As a result, many unsuccessful attempts at pursuing cooperation are likely to go unobserved. Analytically, given the prominence of worst-case scenarios in states' policy planning, increased assertiveness will probably be weighted more

¹⁷ Fisheries Administration (PRC), *Zhongguo yuye nianjian* [China Fisheries Yearbook] (Beijing: Nongye Chubanshe, various); and State Oceanic Administration (PRC), *Zhongguo haiyang nianjian* [China Ocean Yearbook] (Beijing: Haiyang Chubanshe, various), volumes published between 1987 and 2014.

heavily by rival claimants than conciliatory actions. Thus, implicitly equating the two by offsetting assertiveness against conciliatory actions in the same timeline could be misleading.¹⁸

A third limitation inherent in relying on quantitative time series data is that there may be a lag between important political decisions that produce a policy change and the observable manifestations. The MATS data can help narrow down the range of possible explanations where the observed behavioral change occurred prior to the hypothesized explanation. However, to validate rather than merely falsify causal explanations, the quantitative approach needs to be complemented by close analysis of speech and textual sources on the relevant policy decisions, such as official statements and policy documents, in order to determine how the actors involved understood their actions and identify more remote but nonetheless fundamental causes of policy change.

Outline of the Report

Despite the challenges of quantifying state behavior and the limitations described above, the approach employed to compile the MATS dataset offers some significant benefits for understanding the dynamics of maritime disputes in the South China Sea. It enables a relatively systematic descriptive overview of continuity and change over time that can help advance analytical debates on the drivers of state behavior. It also allows for the definition and cross-comparison of different variables to gradually build an increasingly detailed picture of the dynamics of contestation at sea. This, in turn, allows new questions to be asked and answered. Have the methods of contestation changed in recent decades? In which domains of contestation have governments opted to act, and on which issues have they focused? Do assertive moves in one domain, or over one issue, tend to correlate with similar behavior from other states, or does assertiveness produce spillover effects in which contestation spreads from one domain or issue area into others? Which geographic areas of the South China Sea have been the most contested, by which states, how, and when? Most fundamentally, the data presented in the following chapters illustrates how the South China Sea dispute has evolved over time.

The remainder of this report is structured as follows. Chapter 1 identifies the basic continuities and changes in the behavior of the three main claimants in the South China Sea from 1970 to 2015, applying the four-part typology of assertiveness introduced above. Chapter 2 examines the domains in which each claimant's assertive behavioral changes have occurred, and the issues to which they have been directed, over the same time period. Chapter 3 breaks the South China Sea down into ten subregions, highlighting the differences and trends over time in the geography of state contestation over the decades. The concluding chapter reviews trends in the South China Sea since 2016 and outlines a series of policy suggestions.

¹⁸ This is not a reason to dismiss the significance of conciliatory measures, but it does suggest they should be considered separately. Assertiveness in maritime territorial disputes could be mitigated by conciliatory and cooperative actions if they credibly suggest some limitation on assertive actions in the future. Resource-sharing arrangements, such as joint development of energy resources and cooperative fisheries management, may help ease rivals' concerns about missing out on disputed resources altogether. Joint patrols allow two countries to simultaneously manifest administrative presence in a disputed area, as does cooperation over nontraditional security challenges affecting the area. Confidence-building measures and crisis-management mechanisms such as crisis hotlines and on-water protocols, if implemented effectively, can increase the security of all states' positions by rendering their actions more predictable, thereby decreasing the likelihood that an unplanned encounter will result in a sudden severely negative shift in their positions. Multilateral documents pledging policy restraint, such as the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea, can also mitigate assertiveness to the extent that they generate belief in the likelihood of future assertive actions diminishing, or at least not intensifying. Yet establishing how, and indeed whether, the two should be balanced against each other requires further investigation. The causes of conciliation and compromise in maritime disputes, and their relationship with assertiveness, are a subject ripe for future research.

Chapter 1: Continuity and Change—Chinese, Philippine, and Vietnamese Assertiveness, 1970–2015

This chapter identifies basic continuities and changes in the three main contestant states' behavior since 1970. It addresses how each country's types of assertive moves have changed over time, which adversaries their actions have targeted or impinged on, and how methods of contestation employed in the dispute have changed in aggregate. An overview of the behavior of the lead protagonist in the dispute, China, shows four waves of new PRC assertiveness since 1970, each advance impinging on the interests of a broadening array of states. Three distinct periods are apparent in the Philippines' assertive behavior, centering on direct island occupations in the 1970s; on-water coercion, especially around Scarborough Shoal, from the mid-1990s to the early 2000s; and mostly diplomatic means after 2010. In earlier decades, Vietnam matched the PRC's advances with equal or greater assertive surges of its own, but from 2010 it has been unable to keep up with the PRC's protracted campaign of patrolling, island-building, and coercion.

In aggregate, the data shows direct seizures of territory giving way in the 1990s to on-water coercion as the key mode of contestation in the South China Sea—first with the Philippines and then with the PRC starting in 2007. The overall picture that emerges shows China struggling to establish and maintain a presence across the area for several decades until finally its buildup of specific new capabilities overwhelmed the geographic advantages of its Southeast Asian rival claimants. In short, since the 2000s, power has overtaken proximity as the key determinant of on-water control and presence in the disputed area.

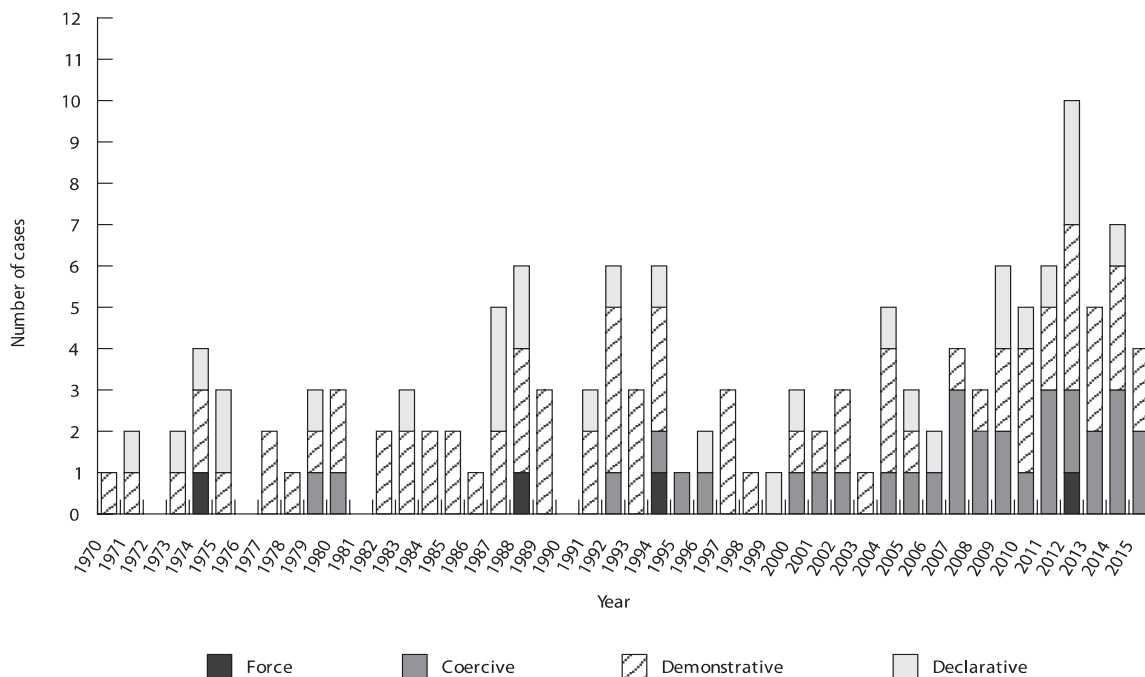
China's Assertiveness, 1970–2015

The MATS dataset shows first of all that increasing Chinese assertiveness is a basic continuity in the South China Sea. The PRC has made assertive moves in most years since 1970. In this period, there have been only four years when China did not engage in some form of new, increased, or expanded assertive activity. The most recent was 1990. **Figure 1** shows that China's assertive behavior intensified in at least eight out of ten years in the 1970s, nine out of ten years in the 1980s, and every year since 1990. True to its own rhetorical claims, Beijing's intent to prosecute its claims and control the South China Sea's maritime spaces has been long-standing and relatively continuous over nearly five decades, long before the rise of its economic or military power. Indeed, PRC government agencies were already treating the entire area enclosed by the nine-dash line—which originally depicted a claim solely to disputed islands—as Chinese jurisdictional waters by the mid-1980s.¹⁹

This finding carries two important implications for understanding China's policy in the South China Sea. First, if increasing assertiveness is a constant, then the type of assertive action becomes crucial to understanding the timing and nature of the more recent changes in China's behavior. Figure 1 illustrates the usefulness of the typology used in this report: within the overall trend of rising assertiveness, the increase in coercive actions at the right-hand side of the chart shows that a major qualitative change has occurred in the type of actions by which China has advanced its position in recent years. Coercive actions—those that involve the threat or use of punishment—became much more frequent beginning in 2007.

¹⁹ Chubb, "PRC Assertiveness in the South China Sea," 101–2, 104–5. The aforementioned article's online appendix contains examples of 1980s PRC maps showing activity extending to the edges of the nine-dash-line area.

FIGURE 1 PRC assertive moves in the South China Sea (1970–2015)



A second implication is that periods of nonassertive Chinese behavior are relatively rare. This raises a potentially fruitful line of inquiry into the causes of, and conditions for, moderation in China's policy (as well as those of other states). The second half of 1989 through 1990 stands out as an example of a period of acute moderation that coincided with internal tumult and slow economic growth within China. The dips in new PRC assertiveness between 1998 and 2000 also coincided with economic uncertainties associated with the Asian financial crisis, though without accompanying domestic political unrest. Further research is needed to investigate the possible causal connections between economic growth and assertiveness in disputed land and sea geographies.

Most new PRC assertive behavior has continued in subsequent years, often establishing a new baseline on which further assertive measures can be layered. Of the 140 cases of assertive behavioral change in the dataset, 58 (41.4%) appear to have continued through 2015, and 22 (15.7%) continued at least into the following year. Only 56 (40.0%) were one-off incidents or temporary surges in activity that lasted less than a year. Some actions are by nature ongoing and continuous, such as declarative actions like domestic legal and administrative moves and demonstrative actions like the construction of facilities in disputed areas, which generally remain in place until abolished or abandoned.

Crucially, many demonstrative behaviors, such as patrolling and oceanographic research, establish necessary conditions for further assertive activities in the future. This tendency of assertive actions at one point in time to enable further assertiveness in the future is an important dynamic of state contestation in disputed geographies. The dynamic may be particularly strong in

maritime disputes, which take place in harsh environments that require significant know-how to operate in effectively.

Within the overall picture of China's increasing assertiveness, four periods of rapid acceleration can be distinguished: 1973–75, during which the PRC used force to evict South Vietnamese forces from the Paracel Islands and launched a series of major resource and scientific surveys; 1987–89, when Beijing established its first tenuous foothold in the Spratly Islands, precipitating a bloody naval skirmish in which at least 64 Vietnamese troops were killed; 1992–95, when the PRC began to contest the resources of the Vietnamese continental shelf; and the prolonged administrative buildup and introduction of regular coercive activities from 2007 onward. As summarized in **Table 2**, the average number of intensified assertive behaviors observed during each of these periods rose to between 3.0 and 5.6 per year, compared to 2.2 or less during the cycles of relative moderation in between. Outside of these four periods of heightened assertiveness, the average frequency of assertive moves since 1970 is only around 1.8 per year—a figure that could be understood to represent the “base rate” of growth in the PRC's assertiveness.

Third and relatedly, the pivotal change in PRC behavior in the South China Sea occurred in 2007, between two and five years earlier than most English-language analysis has assumed. Indeed, estimates of when Chinese policy shifted typically range from 2009 to late 2012.²⁰ As the block of tall bars on the right-hand side of Figure 1 illustrates, 2007 marked the beginning of an unprecedentedly sustained buildup of demonstrative actions, including rapidly expanding the physical patrolling presence of ostensibly unarmed white-hull surveillance cutters each year between 2007 and 2013, and increasingly massive land reclamation efforts at existing outposts

TABLE 2 Periods of intensifying PRC assertiveness in the South China Sea

Period	Cases of PRC assertive moves	Number of years	Mean cases per year
1970–72	3	3	1.0
1973–75	9	3	3.0
1976–86	19	11	1.7
1987–88	11	2	5.5
1989–91	6	3	2.0
1992–94	15	3	5.0
1995–2006	27	12	2.2
2007–15	50	9	5.6
Total	140	46	3.0

NOTE : Italics indicate periods of intensifying assertiveness.

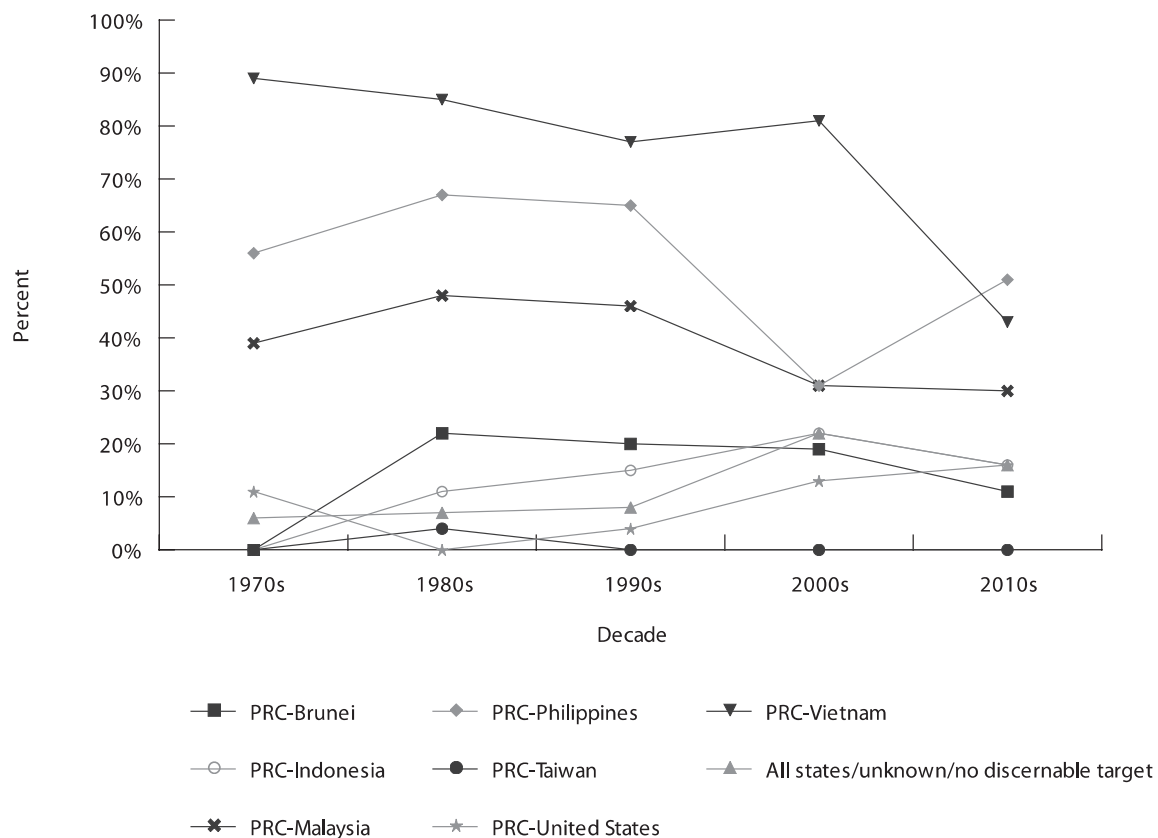
²⁰ For 2009, see U.S. State Department, “PRC: Cow’s Tongue Claim Not Licked, Despite Objections from the Philippines and Vietnam,” cable #09BEIJING579, March 5, 2009; and Aaron L. Friedberg, “The Sources of Chinese Conduct: Explaining Beijing’s Assertiveness,” *Washington Quarterly* 37, no. 4 (2015): 133–50. For 2010, see Evan Medeiros, “The Changing Fundamentals of U.S.-China Relations,” *Washington Quarterly* 42, no. 3 (2019): 96–97. For 2012, see Zhou Fangyin, “Between Assertiveness and Restraint: Understanding China’s South China Sea Policy,” *International Affairs* 92, no. 4 (2016): 889; Robert Sutter and Chin-hao Huang, “China’s Toughness on the South China Sea—Year II,” *Comparative Connections* 15, no. 2 (2013); and You Ji, “The PLA and Diplomacy: Unraveling Myths about the Military Role in Foreign Policy Making,” *Journal of Contemporary China* 23, no. 86 (2014): 236–54.

between 2013 and 2015. As noted above, the chart also vividly shows a second feature of the post-2007 period: the introduction of regular coercive methods.

The identification of 2007 as a crucial inflection point effectively rules out several factors commonly cited as the impetus for the PRC's maritime assertiveness: the decline in U.S. power resulting from the global financial crisis, rising nationalist sentiments over the South China Sea issue within China, interparty conflict between the governing elite ahead of the 18th Congress of the Chinese Communist Party, and the influence of Xi Jinping. The global financial crisis began eighteen months later in 2008; rising nationalist sentiments on the issue did not begin to surge until 2009 and after; elevated intra-elite contention over the 18th National Congress was concentrated in the early 2010s; and Xi's power consolidation has occurred since 2012. These commonly cited factors, therefore, at most exacerbated or further entrenched a policy change that was already underway.²¹

Vietnam has been the most often affected by the PRC's assertive moves, with 72% of the cases involving Sino-Vietnamese disputes (see **Figure 2**). This is understandable as a function of the

FIGURE 2 PRC assertive moves, by dyad



²¹ See Andrew Chubb, "Assessing Public Opinion's Influence on Foreign Policy: The Case of China's Assertive Maritime Behavior," *Asian Security* 15, no. 2 (2019): 159–79; and Chubb, "PRC Assertiveness in the South China Sea."

larger scope of the dispute between the two countries, covering both the Paracel and Spratly archipelagos plus other expansive maritime jurisdictional disagreements, but the proportion of Chinese assertive moves directly affecting Vietnam has dropped notably since 2010 as China's scope of activity has expanded. Sino-Philippine disputes, which cover most of the Spratly Islands plus associated maritime rights, were in play in 53% of cases. PRC actions affecting relations with Malaysia account for 38%—much higher than media reporting would indicate due to the low-key approach Malaysia has taken in the dispute. Brunei was implicated in 15% of the cases, and Indonesia in 14%. Only 9% of China's assertive behavioral changes—13 of the 140 cases—directly concerned Sino-U.S. relations, while 18 cases, or 13%, concerned the region at large.

Over time, China's assertive advances have tended to impinge on the interests of a broadening array of states. Assertive surges in the 1970s, 1980s, and 1990s were predominantly at the expense of Vietnam and the Philippines, and to a lesser extent Malaysia and Brunei. Indeed, Vietnam remained a target for around 80% of PRC assertive actions through the 2000s but has been involved in a much lower proportion of cases over time. The period after 2000, meanwhile, has seen an increase in assertive actions affecting the claims and interests of Indonesia, the United States, and regional states more broadly. Even in the 2010s, however, China's assertive actions have most frequently targeted the Philippines and Vietnam, whose behavior in the South China Sea is examined in the next two sections.

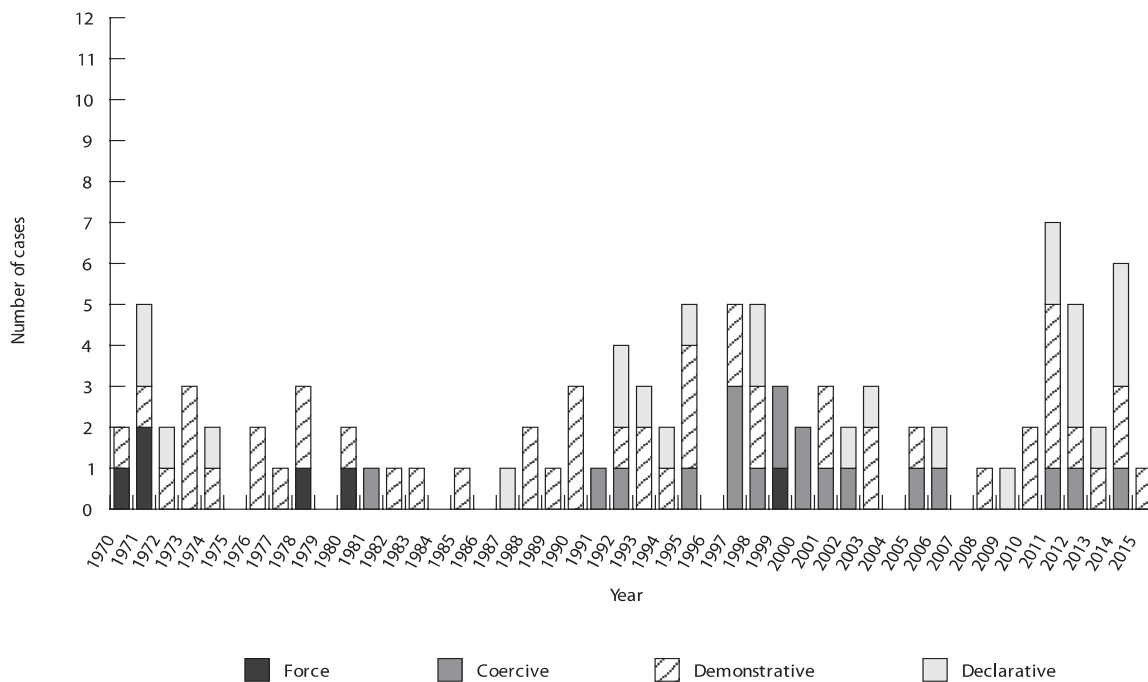
The Philippines' Assertiveness, 1970–2015

The data on the Philippines' behavior in the South China Sea reveals three distinct phases. The first, corresponding with the 1970s, was characterized by the regular occupation of disputed features in the Spratly Islands—mostly unopposed in a physical sense—and the launching of numerous energy exploration projects. But Manila's levels of new activity trailed off toward the end of the 1970s after initial exploration for oil and gas in the Reed Bank area—an area on the Philippine continental shelf in the northeast of the Spratly Islands that also lies within the PRC nine-dash line—failed to identify commercially viable deposits.

The second phase began in 1988, prompted by the PRC's establishment of its first outposts in the Spratly Islands. Although the People's Liberation Army Navy's moves were directed against Vietnam, the confrontation also prompted the Philippines to consolidate its Spratly presence, launch military exercises, issue stern rhetoric vowing to defend its claims, and reinvigorate the search for offshore oil and gas in areas straddling the PRC's nine-dash line. Manila's urgency appeared vindicated in late 1994 when the PRC moved for the first time into the Philippine-controlled part of the archipelago with the seizure of Mischief Reef.

In the short term, the Philippines responded to the Mischief Reef incident with a fierce publicity and diplomacy campaign, but it ultimately opted to tolerate the new Chinese physical presence. Two years later, with Mischief Reef now a *fait accompli*, Manila launched a pushback campaign attempting to impose meaningful military and administrative control over Scarborough Shoal, a pattern that continued from 1997 through 2002. **Figure 3** depicts a flurry of incidents during this period in which Philippine authorities used various coercive measures to detain, punish, and deter PRC trawler crews—including maritime militia—operating around disputed features. These actions were particularly common in areas where Manila had the advantage of proximity, such as around Scarborough Shoal, which lies around 120 nautical miles from the Philippine coast, and 470 nautical miles from China.

FIGURE 3 Philippines assertive moves in the South China Sea (1970–2015)



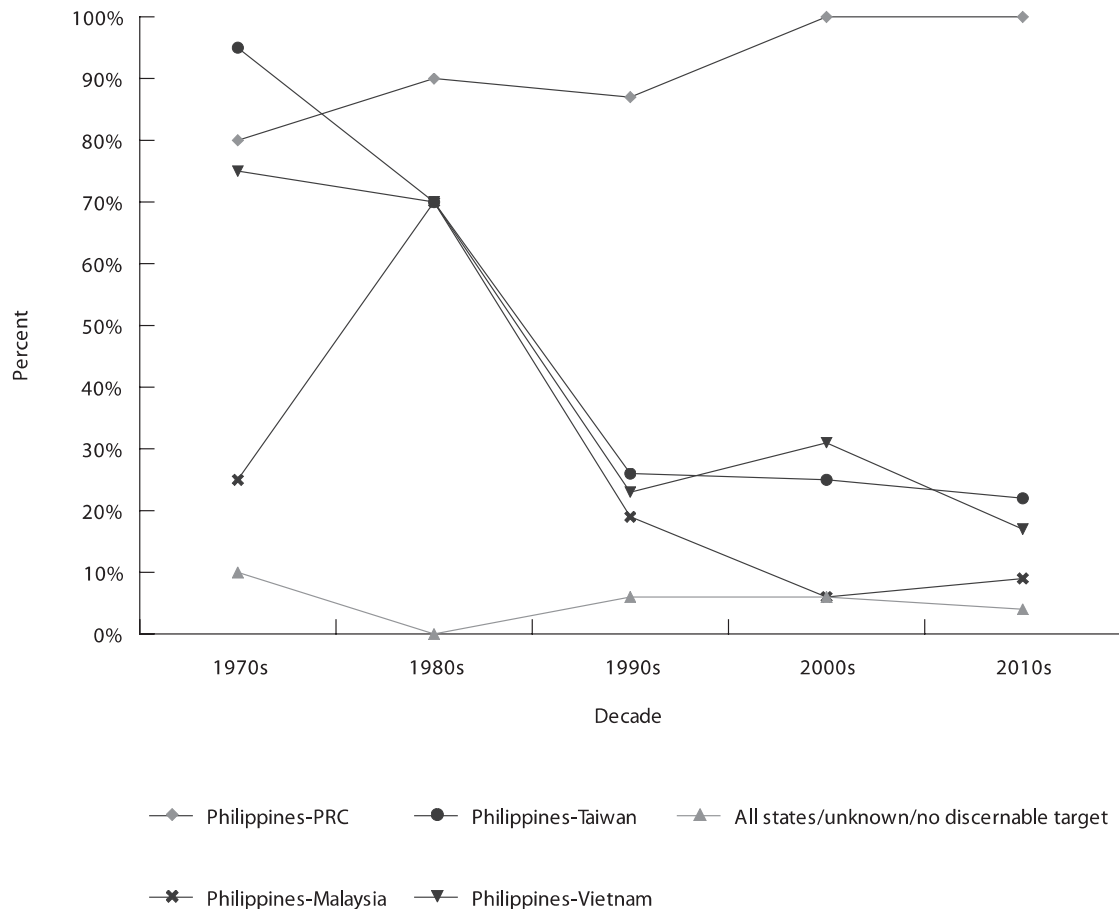
Following a lull during Gloria Macapagal Arroyo’s presidency (2001–10), Manila relaunched resource surveys in Reed Bank in 2010, beginning the third phase. After Chinese ships harassed a Philippine-commissioned survey in the area in early 2011, Manila mobilized a strong diplomacy and publicity campaign against China’s encroachments—similar to its 1995 response to the PRC’s occupation of Mischief Reef. Its pushback over the years that followed, however, was fundamentally different. In contrast with the coercive campaign against PRC fishing and militia activity in the late 1990s, the Philippines this time opted to use primarily declarative and demonstrative means.

The centerpiece of Manila’s recent policy has been the 2013 arbitration case against China under the United Nations Convention on the Law of the Sea (UNCLOS). As shown in Figure 3, high bars on the right side indicate that the Philippines, under the leadership of Benigno Aquino III (2010–16), had higher levels of assertiveness from 2011 to 2014, but its type was notably less coercive than during the post-Mischief Reef pushback campaign (1995–2000). By 2010, China’s power had grown to the point where stepping up coercion on the water was no longer a feasible option for Manila.

Compared with China, the Philippines’ new assertive actions have been more likely to be one-off incidents rather than ongoing actions. Of the 100 Philippine cases in the MATS time series, 45% were behaviors that likely did not continue into subsequent years, a significantly higher proportion than China (40%) or Vietnam (38%). As a result, Manila’s behavior in the South China Sea has been more sporadic and inconsistent than that of the other claimants, surging and then receding to an earlier baseline. This is particularly evident during the Arroyo administration, which sought to expand economic cooperation with the PRC.

In the 1970s, China was merely one of several rival claimants in the area. In fact, the Republic of China (ROC, or Taiwan) had the strongest presence in the Philippine-claimed area of the Spratly Islands, such that 95% of Manila's assertive actions—mainly island occupations and energy survey actions—impinged directly on ROC claims in the 1970s. More than 70% of Manila's actions in the 1970s and 1980s also concerned disputes with Vietnam. Disputes also arose with Malaysia after the latter asserted a claim covering part of the Spratly Islands in 1978. However, these aspects of the dispute became less salient in the 1990s, particularly after Vietnam joined ASEAN, increasing the impetus to cooperate in handling the dispute. Combined with China's seizure of Mischief Reef in 1995, the Philippines' struggle to assert its interests in the South China Sea became overwhelmingly an issue with Beijing. As a result, as shown in **Figure 4**, by the 2000s and 2010s, every act of Philippine assertiveness discernably conflicted with the PRC's claims.

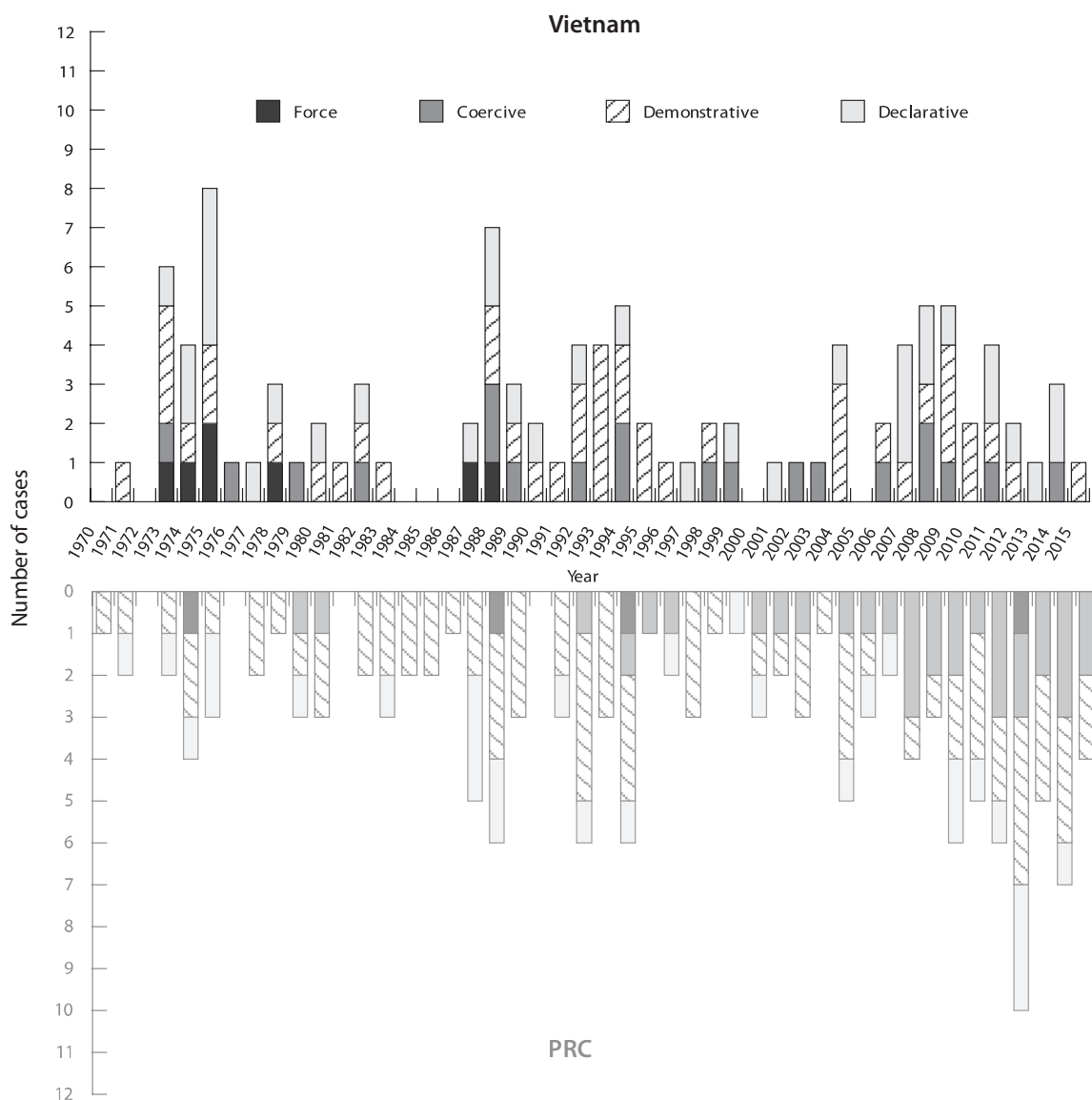
FIGURE 4 Philippines assertive moves, by dyad



Vietnam's Assertiveness, 1970–2015

The data on assertive changes in Vietnam's behavior in the South China Sea vividly depicts the process of power overtaking proximity as a key determinant of state activity in the disputed area. Aided by its geographic closeness to the disputed Paracel and Spratly archipelagos, as well as greater existing human connections via its fisherfolk and coastal communities, Vietnam's assertiveness appears to have generally matched China through the 1970s, 1980s, and 1990s. This is illustrated in the comparative chart in **Figure 5**, which shows Vietnam's new assertive behaviors (above the x-axis) offset against China's (below the x-axis).

FIGURE 5 Vietnam assertive moves in the South China Sea (1970–2015), offset against PRC moves



The chart suggests that each time Chinese activity levels surged—in 1973–75, 1987–89, and 1992–95—Hanoi was generally able to counter Beijing’s moves, often with even stronger new measures of its own (i.e., the longer and darker bars on the Vietnamese side of the axis). In many cases, this meant new occupations of disputed islands and reefs. Sustaining these new outposts was viable because of logistical support from the Vietnamese coast and other well-established nearby outposts, particularly on Spratly Island, where an airstrip had been constructed in 1975. In these ways, early-mover advantages and geographic proximity allowed Vietnam to offset the PRC’s advances until the turn of the century.

By the 2000s, however, the Sino-Vietnamese aspect of the South China Sea contest had leveled up. In the early part of the decade, tensions simmered over scientific research, fisheries, and infrastructure upgrades in the area, but the two sides generally managed to keep a lid on outright acrimony. When Beijing began its protracted buildup and new coercive practices in 2007, Hanoi initially responded with new moves to consolidate its own positions. But by 2010, after three years of sustained Chinese advancements, Vietnam could no longer keep up with the PRC’s new and expanded lines of activity. From mid-2011 on, new Vietnamese assertive activities were mostly declarative verbal moves, as Hanoi switched its focus toward diplomacy. This transition will be discussed further in chapter 2.

The data for Vietnam’s assertive actions shows an even more complete China orientation in South China Sea policy than that of the Philippines. **Figure 6** illustrates how, as early as the 1990s, virtually every assertive move by Vietnam concerned its disputes with China. Although the chart indicates that the de-escalation of Vietnam’s disputes with other Southeast Asian countries moved more slowly than was the case for the Philippines, by the 2010s the two main ASEAN claimants in the South China Sea had both settled into a *modus vivendi* under which their assertive actions made little impact on each other’s claims.

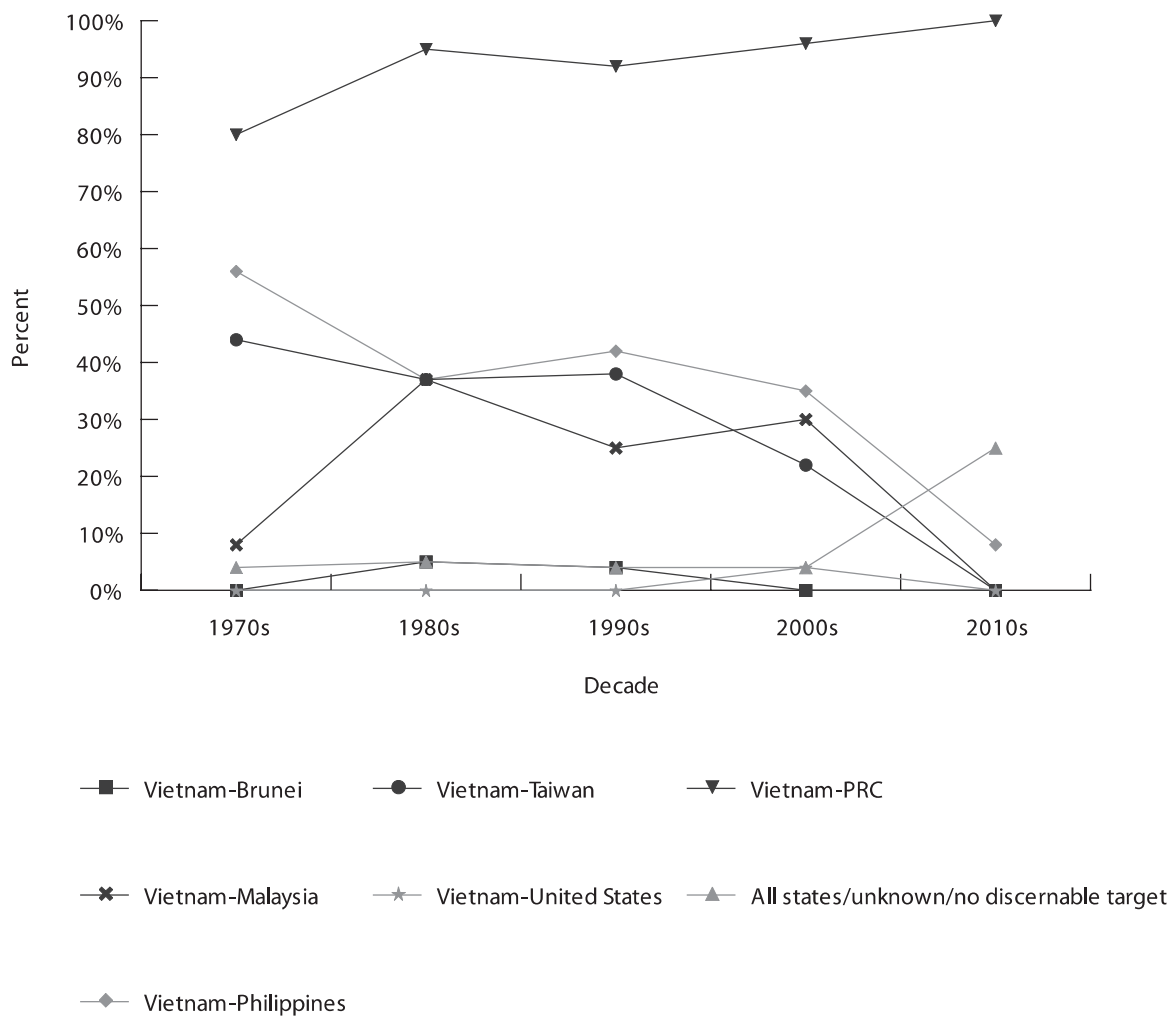
A notable feature of Vietnam’s post-2010 behavior is the country’s strong efforts to shape the interpretation of international norms as they apply to the area. This has included pushing the issue onto the agenda at the 2010 ASEAN Regional Forum, passing a comprehensive maritime law in 2012, and implicitly supporting the Philippines’ arbitration case from 2013 onward. Figure 6 indicates that these kinds of generalized moves to advance Vietnam’s position in the disputes in ways that apply to all states in the area were much rarer in earlier decades.

Conclusion: A Trend toward Coercion from the 1990s

Combining the actions of all three claimants reveals a clear trend away from outright use of force, and toward coercion, in the South China Sea (see **Figure 7**). In the 1970s and 1980s, forceful actions such as seizure of disputed features may have been even more common than coercive moves in which one side attempts to threaten or punish an adversary in order to change its behavior.²² In the 1990s, as noted above, the Philippines used various coercive methods to assert on-water control from 1997, particularly around Scarborough Shoal, following the PRC’s seizure of Mischief Reef. As the vigor of the Philippines’ enforcement campaign waned in the early 2000s, new coercive behaviors began to emerge as a regular feature in China-Vietnam relations. Then from 2007, as noted above, PRC coercion surged against all South China Sea claimants and even, on some occasions, the United States.

²² In the MATS data the number of uses of force exceeds the number of new coercive behaviors, though it should be borne in mind that instances of the use of force are significantly less likely to go unobserved than coercion.

FIGURE 6 Vietnam assertive moves, by dyad

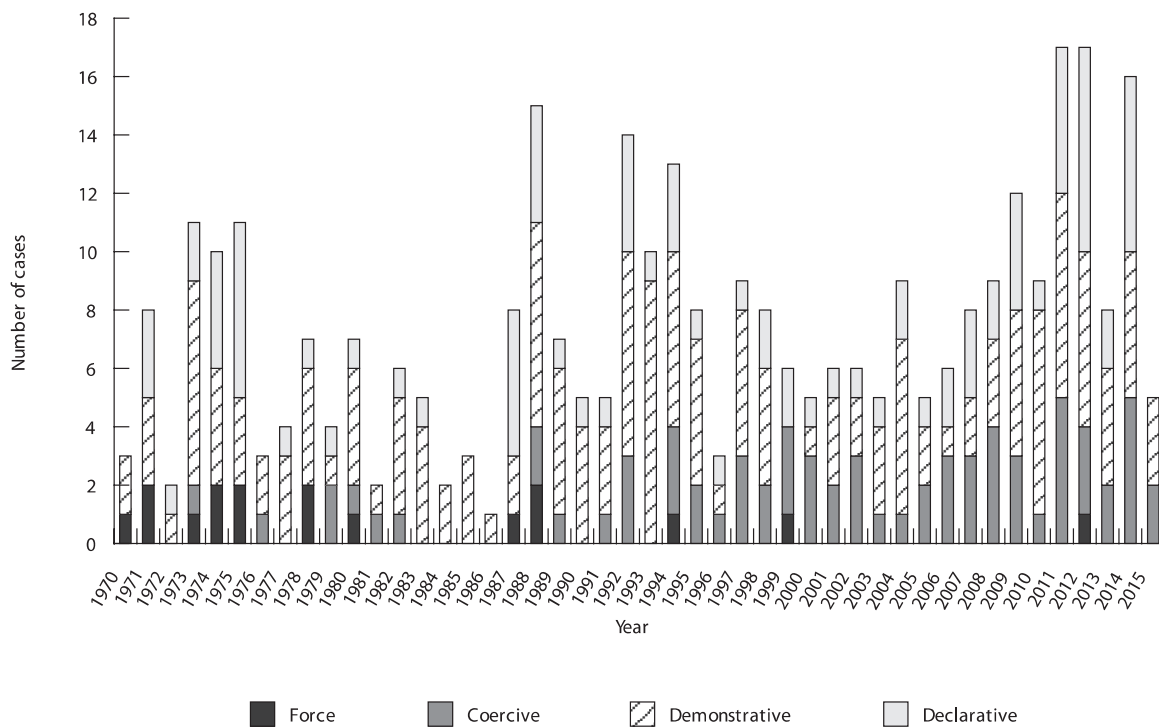


More broadly, this chapter has canvassed the key continuities and changes in the assertive behavior of the three main claimants in the South China Sea. China's assertiveness has surged four times since 1970, with each advance impinging on the interests of a broadening array of states. The Philippines' policy moved from a focus on direct island occupations and energy explorations in the 1970s to on-water coercion, especially around Scarborough Shoal, from the mid-1990s until the Arroyo administration took power in 2001. When the Aquino administration reinvigorated the Philippines' contestation of the area in 2010, coercion was a much less viable option given the overwhelming advantage the PRC had built in maritime law enforcement.

Vietnam was able to match the PRC's assertive surges in the 1970s, 1980s, and 1990s, and initially attempted to do so again in 2007. But Hanoi, too, quickly discovered that China's new coercive capabilities outweighed Vietnam's geographic and first-mover advantages. The prolonged struggle the PRC underwent to assert its claims in the South China Sea, until its size and capabilities finally overwhelmed its Southeast Asian opponents in the 2000s, has been aptly

described as the PRC’s “long march at sea.”²³ As Beijing’s coercive advantages have become clearer, how have the domains of contestation evolved? And are the claimant states contesting the same issues as they were in the past? Chapter 2 turns to these questions.

FIGURE 7 Total observed assertive moves in the South China Sea (all three claimants) (1970–2015)



²³ Feng Zhang, “China’s Long March at Sea: Explaining Beijing’s South China Sea Strategy, 2009–2016,” *Pacific Review* 33, no. 5 (2020): 757–87.

Chapter 2: Domains and Issues of Contestation

This chapter explores the domains in which the major claimant states have contested the South China Sea since 1970 and the issues over which their assertive moves have been directed. The term “domain” refers to three political theaters in which assertive behavior can take place: domestic, diplomatic, and physical. Actions in the domestic political domain include laws, directives, administrative changes, and propaganda aimed at the home population. The diplomatic domain covers statements and behaviors directed toward international audiences or in cooperation with foreign actors, but which take place outside the physical disputed area. The physical domain refers straightforwardly to real-world actions undertaken in the geography that is subject to the dispute.²⁴ Assertive actions can span multiple domains, so unlike the typology of assertive actions elaborated in chapter 1, cases can belong in more than one of these categories.

The chapter also considers the five key issues over which the contestant states have engaged in assertive behaviors in the South China Sea: military-security control, civilian administration, energy resources, fisheries, and political support. As an issue of contestation, military-security control refers to the state’s ability to secure its interests in the area in the event of armed conflict. Actions oriented toward military-security control are those oriented toward obtaining an advantage in the event of armed conflict (or denying the same to an adversary), such as naval movements, weapons deployments, exercises, and confronting other militaries in the area. Civilian administration refers to the ability to exercise the state’s civilian administrative capacities over the area. Political support refers to the views and actions of domestic and international audiences toward the dispute. Energy and fisheries resources are relatively self-explanatory as issue drivers of contestation. Many assertive moves serve multiple purposes, so cases can belong to more than one issue area.

The chapter first analyzes patterns in the data for each of the three main claimants, before zooming out to offer an overall view of how the domains and issues of contestation have shifted over time. The picture that comes into focus is one of direct military contestation, with energy and fisheries becoming less prominent over the decades as drivers of new moves in the disputed waters. New assertive moves have increasingly focused on the gray zone of consolidating unilateral civilian administration over disputed maritime areas, together with intensifying efforts by all sides to secure domestic and international political support.

China’s Increasing Physicality

The domain data demonstrates a further dimension of the 2007 turning point in the PRC’s assertive behavior. Not only was 2007 marked by increases in overall new assertive activities, particularly coercion, as shown in the previous chapter; it was also in this year that Beijing’s intensified activities began to be concentrated physically on the waters in the disputed area. These early real-world behavioral changes were overwhelmingly focused on the Southeast Asian claimant states, rather than targeting the U.S. or regional states in general, which helps explain why Hanoi and Manila became concerned about the PRC’s assertiveness in the South China Sea two to three years earlier than Washington. Serious U.S. concerns toward the area started in March 2009, when sustained harassment by PRC maritime militia, assisted by law-enforcement ships, forced

²⁴ By definition, declarative actions can occur in the domestic or diplomatic domain. Actions that occur in the physical domain are, at a minimum, demonstrative in nature.

a U.S. surveillance ship (the USNS *Impeccable*) to make an emergency stop and call for backup. Washington's increased attention to the issue following this incident culminated in Secretary of State Hillary Clinton's declaration of the South China Sea as an area of U.S. national interest at the 2010 ASEAN Regional Forum.²⁵

It is important to place recent changes in a long-term context. The PRC's reliance on physical on-water actions—relative to diplomacy and domestic administrative measures—is not in fact a new phenomenon. This is evident in **Figure 8**. Over the long term, compared with other claimant states, China has for decades been relatively dependent on physical actions, and less proficient in deploying domestic administrative frameworks and diplomacy, to advance its interests in the South China Sea.

The year 2012, easily the PRC's most assertive year in the South China Sea since 1970, presents a significant exception to the overall trend of intensifying assertive behavior in the physical domain. Over the course of that year, the PRC seized Scarborough Shoal, coerced the Philippines with informal economic sanctions on agricultural imports, and implemented administrative measures such as the establishment of Sansha City as a prefectural-level authority administering the disputed area. It also stepped up its South China Sea diplomacy, persuading Cambodia to block an ASEAN statement on the Scarborough Shoal standoff. The year brought a tumultuous Chinese Communist Party leadership transition marked by intense elite political turmoil as well as massive anti-Japanese nationalist mobilizations in the streets and online, leading to widespread speculation that assertive foreign policies were being made with nationalist audiences in mind. However, the MATS data suggests that any domestically driven policies made in this period were largely taken in the administrative and diplomatic domains rather than through real-world actions on the water.²⁶

The MATS data illustrated in **Figure 9** also illuminates how the issue drivers of contestation in the South China Sea relate to the PRC's policy shift in 2007. Since that year, a larger proportion of China's new assertive moves have been oriented toward normalized civilian administration of the disputed areas through means such as expanded shipping and aviation linkages, infrastructure, and the development of government administrative structures and practices.²⁷ This illustrates how China has started competing in the gray zone with actions designed to steer clear of the threshold of armed force.²⁸ The relatively short, stumpy blocks at the bottom of the chart, compared to the lengthening striped bars, underscore how military-security concerns have given way to the pursuit of administrative control as the immediate object of most Chinese assertiveness.

In total, while the PRC has been heavily reliant on actions in the physical domain, only 41 out of 140 identified cases (29%) of assertive change in its behavior from 1970 to 2015 directly concerned the military and security aspects of the dispute, such as territorial control and military operations. The majority of cases (53%) were actions oriented toward civilian administrative control, such as surveying, patrolling, and infrastructure construction. The PRC's claims to the area's energy

²⁵ Hillary Rodham Clinton (remarks at press availability, Hanoi, July 23, 2010), <https://2009-2017.state.gov/secretary/20092013clinton/rm/2010/07/145095.htm>.

²⁶ See Andrew Chubb, *Chinese Nationalism and the "Gray Zone": Case Analyses of Public Opinion and PRC Maritime Policy* (Newport: U.S. Naval War College Press, 2021); and Chubb, "Assessing Public Opinion's Influence on Foreign Policy."

²⁷ See Zoe Haver, "Sansha City in China's South China Sea Strategy: Building a System of Administrative Control," U.S. Navy War College, China Maritime Studies Institute, CMSI China Maritime Reports, no. 12, January 5, 2021.

²⁸ Michael J. Green et al., *Countering Coercion in Maritime Asia: The Theory and Practice of Gray Zone Deterrence* (Washington, D.C.: CSIS, 2017), 21; Peterson, "The Chinese Maritime Gray Zone: Definitions, Dangers, and the Complications of Rights and Protection Operations," in *China's Maritime Gray Zone Operations*, ed. Andrew S. Erickson and Ryan D. Martinson (Annapolis: Naval Institute Press, 2019), 16; and Michael J. Mazarr, *Mastering the Gray Zone: Understanding a Changing Era of Conflict* (Carlisle: U.S. Army War College Press, 2015), 4.

FIGURE 8 PRC assertive moves, by domain

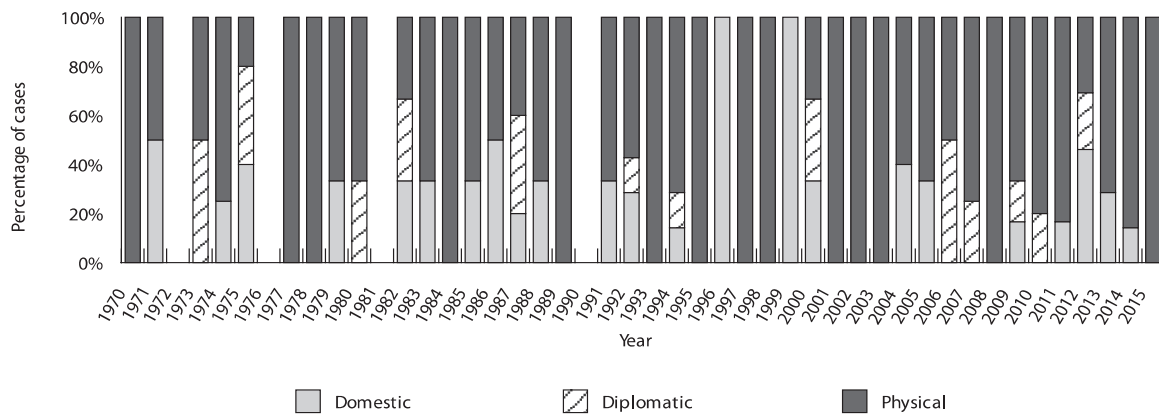
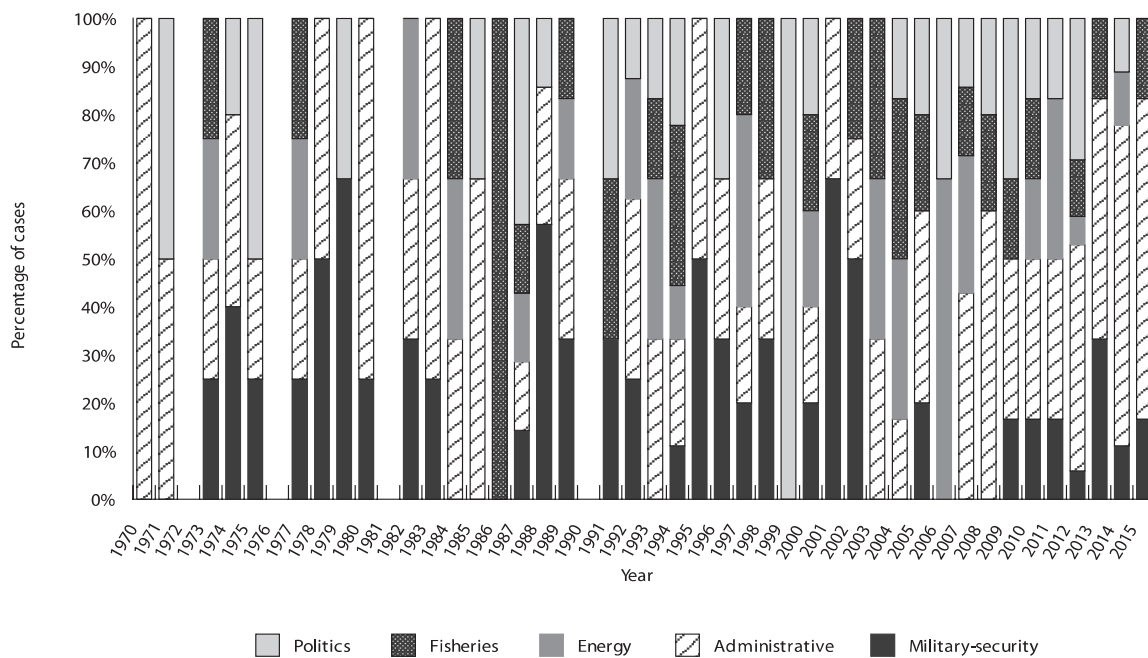


FIGURE 9 PRC assertive moves, by issue



resources were advanced in 27 cases (19%), while 28 cases (20%) concerned fisheries. Just under one-quarter of its new assertive actions were aimed at bolstering China's political support or undermining that of others.

Focusing specifically on the four periods of rapid intensification in Chinese assertiveness in the South China Sea, **Table 3** shows how the PRC's surges have increasingly targeted civilian administrative interests, with proportionally fewer relevant events concerning military control

TABLE 3 PRC surges in South China Sea assertiveness, by issue and time period

	Total	Military-security	Administrative control	Energy	Fisheries	Political
1973–75	9	4 (44%)	4 (44%)	1 (11%)	1 (11%)	3 (33%)
1987–88	11	5 (45%)	3 (27%)	1 (9%)	1 (9%)	4 (36%)
1992–94	15	2 (20%)	7 (47%)	5 (33%)	5 (33%)	5 (33%)
2007–15	50	8 (16%)	33 (66%)	7 (14%)	8 (16%)	12 (24%)
Non-surge periods	55	22 (40%)	29 (53%)	13 (24%)	13 (24%)	24 (44%)

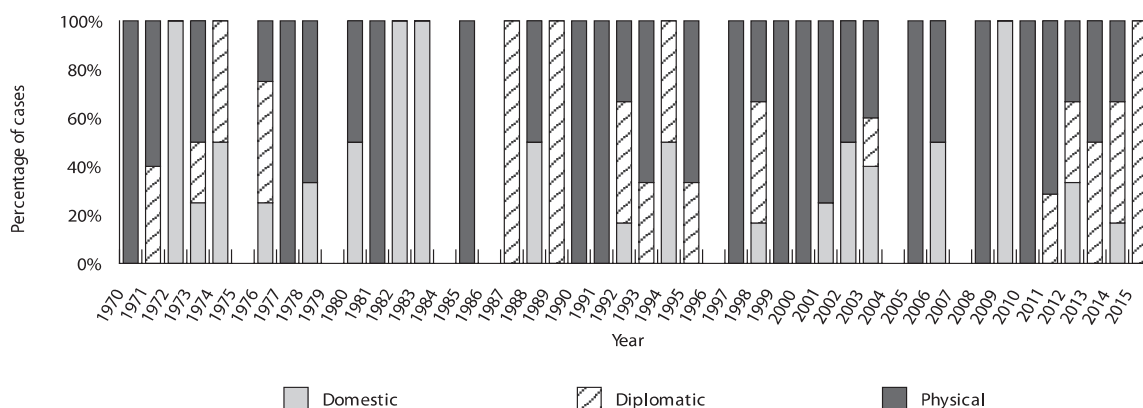
and more related to civilian administrative presence over time. This reflects how the PRC fought its way into the Spratly area, including the use of force against Vietnam in 1988, and then gradually normalized its presence from an initially tenuous military position.

Resources such as hydrocarbons and fisheries were at the center of the surge beginning in 1992, featuring in at least one-third of China's new moves between 1992 and 1994. However, as shown in Table 3, they were much less prominent objects of disputes in the other three surge periods. By contrast, outside of the surge periods, energy and fisheries have been identifiable objectives in 24% of assertive behavioral change cases. This suggests that energy and fisheries have been more constant underlying drivers of the PRC's behavior in disputes rather than drivers of surges in the country's assertiveness and associated policy shifts in the South China Sea.

From Disputed Waters to Diplomacy: Changing Philippine Responses

The domain data also illuminates a key recent change in the Philippines' approach to advancing its maritime claims. **Figure 10** shows the relative proportions of domestic, diplomatic, and physical actions among the year-on-year changes in the Philippines' behavior. In past decades Manila often

FIGURE 10 Philippines assertive moves, by domain



advanced its interests and responded to other states' advancements directly through real-world actions on the water, particularly in the 1990s and early 2000s. However, this appears to have changed after 2010.

The PRC surge in assertiveness that began in 2007 initially targeted Vietnam, followed by the United States and Indonesia, but the Philippines eventually became a target in 2010. Manila may have initially sought to counter Beijing on the water by launching new resource survey activity. Yet this quickly gave way, and by 2013 the Philippines had even placed a *force majeure* moratorium on its own energy companies' legally acquired exploration rights on its continental shelf in disputed areas, pending the outcome of the *Philippines v. China* arbitration case. President Rodrigo Duterte, who took power shortly before the case was decided in 2016, maintained the freeze for more than four years. Even after the ban was lifted in October 2020, local energy companies have remained hesitant to implement on-water exploration due to security concerns.²⁹

The widening striped section toward the right side of Figure 10 indicates that the Philippines has increasingly pursued its claims in the domain of diplomacy since 2011. The trend clearly predates the 2013 initiation of the arbitration case, starting with the high-profile Reed Bank incident in March 2011, in which two Chinese marine surveillance vessels shadowed and harassed a Philippine-commissioned energy survey ship. In the decade prior to the incident, Manila had generally avoided opening new fronts of diplomatic contestation over the South China Sea, most likely in the hope of preserving the possibility of economic largesse from Chinese investment and aid. Despite actively seeking to internationalize the dispute in the first half of the 1990s, the Philippines appears to have not launched any major new efforts to advance its interests against other claimants through diplomatic means until 2010.

The Philippines' pursuit of energy resources was a key driver of its bold policies in the South China Sea in the 1970s, as illustrated by **Figure 11**. Since that time, however, Manila's pursuit of resources has been furtive, an observation attributable at different times to government incapacity and (more recently) an unwillingness to suffer economic and diplomatic retaliation from the PRC. Renewed energy explorations formed part of the Aquino administration's South China Sea policy, but the Reed Bank incident largely brought this to a halt.

Fisheries issues have also featured sporadically in the Philippines' policy, with incidents involving both ROC and PRC fishers. Manila ran a consistent enforcement policy against PRC fishing trawlers and militia encroachments between 1997 and 2002. These responses to foreign fishers were, as discussed in chapter 1, often coercive in nature. Such enforcement has become much rarer. The most recent case was in 2014 when a group of Chinese fishers was detained in the Spratly Islands for poaching endangered sea turtles.

Also noteworthy is the absence of military-security contestation throughout most of the Arroyo administration. However, while the country pursued positive economic ties with China during this period, the Philippines' return to contesting military control in the area from 2010 is not necessarily solely attributable to divergent policies in the Aquino administration. Instead, this shift coincided with the arrival of long-awaited new naval capabilities.

There is a striking absence of political contestation by the Philippines through the 2000s. Rather than publicizing the issue domestically or seeking to shape international political

²⁹ Pia Ranada, "Lifting of West Philippine Sea Moratorium Tests Duterte's China Strategy," Rappler, October 24, 2020, <https://www.rappler.com/newsbreak/explainers/lifting-west-philippine-sea-moratorium-tests-duterte-china-strategy>; and "Drilling of 5 Wells Eyed in WPS," Power Philippines, July 20, 2021, <https://powerphilippines.com/drilling-of-5-wells-eyed-in-wps>.

responses to events in the South China Sea, Manila opted to confine its contestation to real-world actions. As shown in **Table 4**, only one of the sixteen assertive moves Manila made during the 2000s was oriented toward bolstering political support for its position—the Baselines Law passed in 2009. The Aquino administration reversed this trend, particularly from the Reed Bank incident onward. The sweeping UNCLOS arbitration case the Philippines brought against China in early 2013 completed a major reversal, which was driven by the lack of more direct, alternative options for contesting its claimed maritime space—such as occupying islands or building up naval and maritime law-enforcement capabilities. The lack of Philippine political contestation in the previous decade may also help explain why the arbitration case caught the PRC by surprise.

FIGURE 11 Philippines assertive moves, by issue

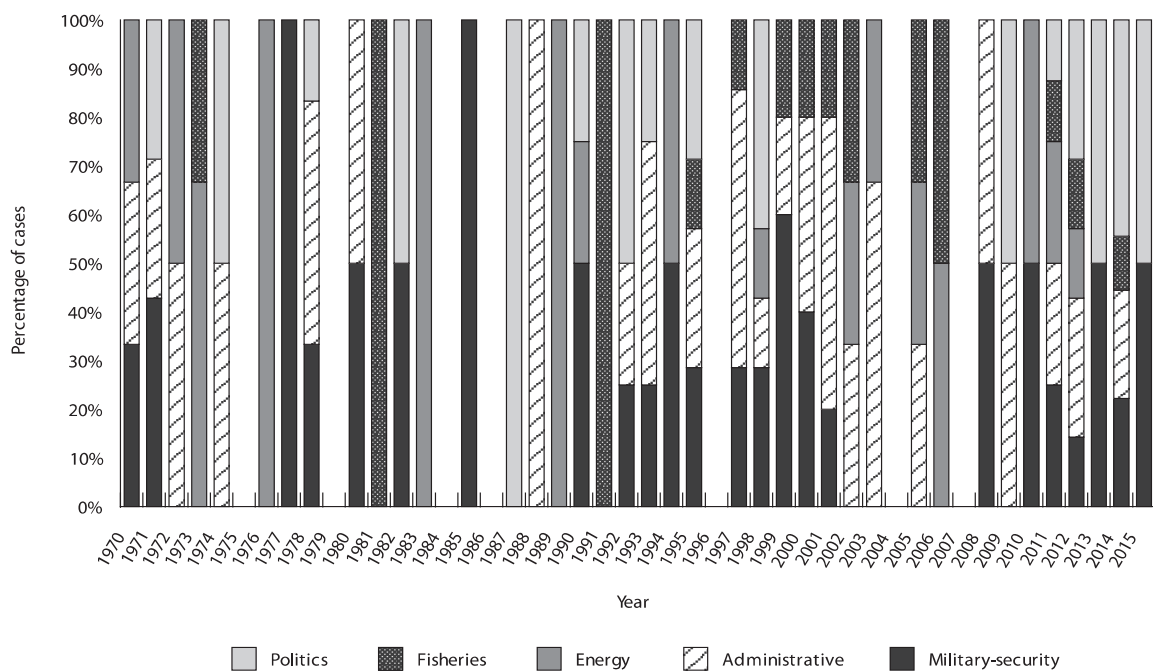


TABLE 4 Philippines South China Sea assertiveness, by issue and decade

	Total	Military-security	Administrative control	Energy	Fisheries	Political
1970s	20	7 (35%)	8 (40%)	6 (32%)	1 (5%)	4 (20%)
1980s	10	3 (30%)	3 (30%)	2 (20%)	1 (10%)	2 (20%)
1990s	31	14 (45%)	11 (35%)	3 (10%)	1 (3%)	9 (29%)
2000s	16	4 (25%)	11 (69%)	4 (25%)	5 (31%)	1 (6%)
2010s	23	8 (35%)	6 (26%)	4 (17%)	3 (13%)	9 (39%)

Vietnam: Treading Water

The domain data shows a clear general decline in new physical assertive behaviors on the water by Vietnam since 2009 (see **Figure 12**) as PRC power projection has counteracted its geographic advantages (as discussed in chapter 1). The MATS data captures changes in state behavior rather than existing and ongoing assertive behavior. Therefore, the declining number of new actions in the physical domain does not necessarily imply that Vietnam has been drawing down its presence in the disputed area; instead, the country has been largely “treading water”—maintaining its position but introducing relatively few new lines of physical activity. Its on-water activities start from a relatively high baseline, as Hanoi (and Saigon before it) was the most active claimant in the disputed area until the early 2000s.

Vietnam’s responses to the PRC’s surging assertiveness since 2007 have mainly been in the diplomatic domain. Spokespersons in Hanoi made increasingly strong public protests, and in 2010 Vietnam used its position as ASEAN’s rotating chair to successfully place the topic high on the agenda at ASEAN meetings and in multilateral forums led by ASEAN, facilitating a more vocal posture from the United States on the South China Sea. Hanoi’s diplomatic initiatives have also extended to permitting foreign journalists to travel aboard Vietnamese Coast Guard ships during periods of high tension, such as during the 2014 HYSY-981 oil rig incident—a technique employed by the Philippines as early as the 1990s.

Table 5 shows the issue drivers of Vietnam’s assertiveness across the decades. Energy resources have been a consistent driver of Vietnam’s policy in the South China Sea. Hanoi has developed numerous oil and gas projects in areas of its continental shelf inside the nine-dash line, and its exploration activities have met with opposition from the PRC at times. Fishery incidents have also been a nearly constant feature of Sino-Vietnamese contestation since the 1980s, especially in the Paracel Islands, which will be discussed in depth in chapter 3. However, as **Figure 13** shows, Vietnam has only engaged in new fisheries-oriented assertive moves in eight years between 1970 and 2015. This indicates that new assertive moves by Vietnam are not the main cause of these tensions.

Military operations were prominent in Vietnamese policy in the 1970s as Saigon (and later Hanoi) directly occupied several dozen features in the Spratly archipelago. However, in contrast

FIGURE 12 Vietnam assertive moves, by domain

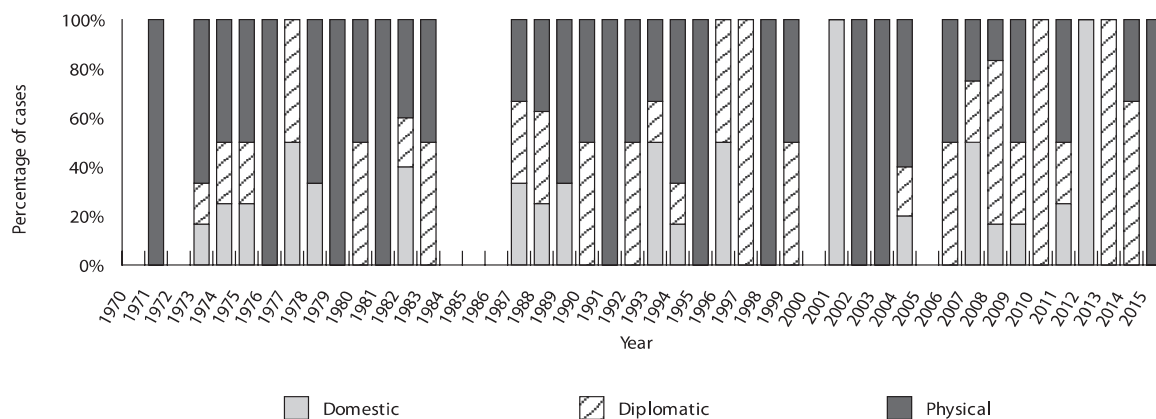
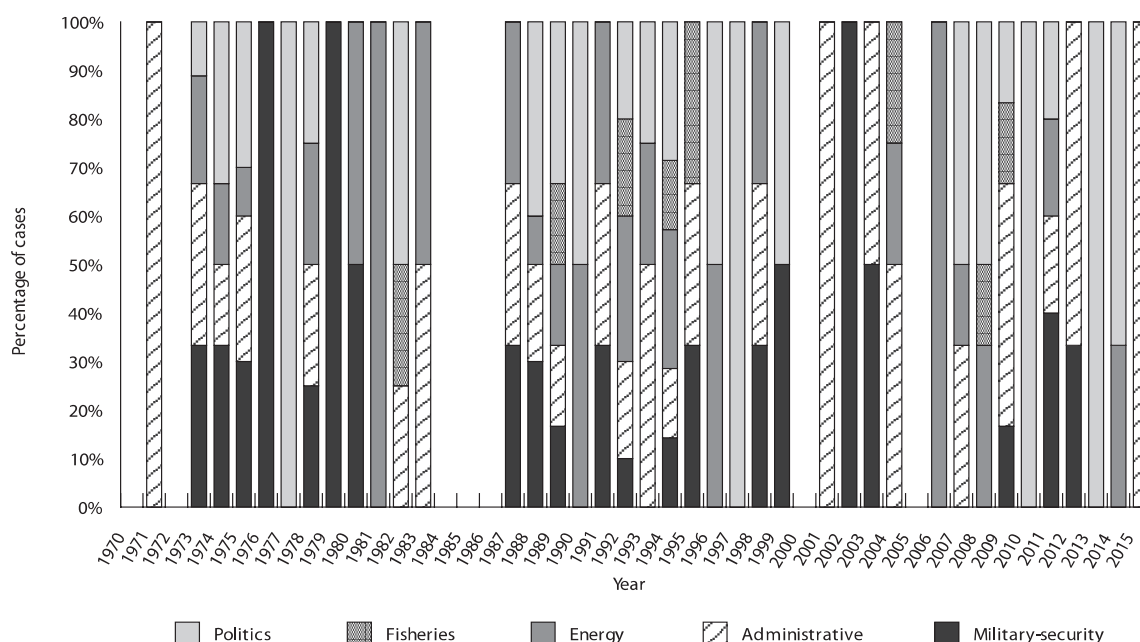


TABLE 5 Vietnam South China Sea assertiveness, by issue and decade

	Total	Military-security	Administrative control	Energy	Fisheries	Political
1970s	25	11 (44%)	9 (36%)	5 (20%)	0 (0%)	8 (32%)
1980s	19	6 (32%)	6 (32%)	6 (32%)	2 (11%)	8 (42%)
1990s	24	6 (25%)	8 (33%)	10 (42%)	4 (17%)	9 (38%)
2000s	23	3 (13%)	9 (39%)	6 (26%)	3 (13%)	7 (30%)
2010s	12	3 (25%)	3 (25%)	2 (17%)	0 (0%)	6 (50%)

FIGURE 13 Vietnam assertive moves, by issue



to the PRC in recent years, Vietnam has not managed to turn its military occupation of rocks and reefs into large-scale civilian administrative practices. Whereas more than half of the PRC's moves since 2007 have sought to normalize and regularize its administrative presence, such actions have only accounted for around one-third of Vietnam's moves in each decade.

Among the three claimants examined in this report, Vietnam has consistently been the most active in fighting for political support regarding the South China Sea. Since the late 1970s, Hanoi has regularly published white papers, availed itself of UN channels to circulate diplomatic objections to Beijing's actions and claims, lobbied for ASEAN involvement in the issue, and made use of regional multilateral forums organized by ASEAN. Domestically, it has also often sought to mobilize support by focusing popular attention on the issue—at times even tolerating mass street

protests—and by enlisting party-led organizations such as the Vietnam Fisheries Association to issue strong statements denouncing Chinese aggression.

In Aggregate: The Crucial but Declining Role of Oil and Gas

Aggregated together, the three countries' data suggests that energy resources have been a driver of some past periods of tension, such as in 1992 and the mid-2000s, but have generally declined as objects of contestation in the South China Sea in recent years (see **Figure 14**). While a succession of energy-related moves occurred between 2006 and 2011, energy issues have been much less prominent in assertive behavior since then. This may reflect the deterrent effect of the PRC's campaign of threats against foreign oil and gas companies, coupled with direct coercive action against Vietnamese and Philippine survey operations, between 2006 and 2011. It may also reflect the claimant states' recognition of the long-term unsustainability of continued large-scale fossil fuel dependence.

Direct military-strategic advantage has also been the focus in a declining proportion of the three countries' assertive moves. In the 1970s, more than 40% of observed cases were oriented toward military control as the claimants sought to establish and secure their presence. The proportion remained at more than one-third throughout the 1980s and 1990s, but it declined in the 2000s (see **Table 6**). Military moves became notably less common between 2004 and 2008 in the wake of the Declaration on the Conduct of Parties in the South China Sea (DOC), raising the possibility that the nonbinding November 2002 political document may have had some effect in building confidence among the signatories (China and ASEAN). While new military moves increased somewhat in 2008, military contestation has not returned to the levels seen in the 1970s.

FIGURE 14 Total observed assertive moves (all three claimants), by issue

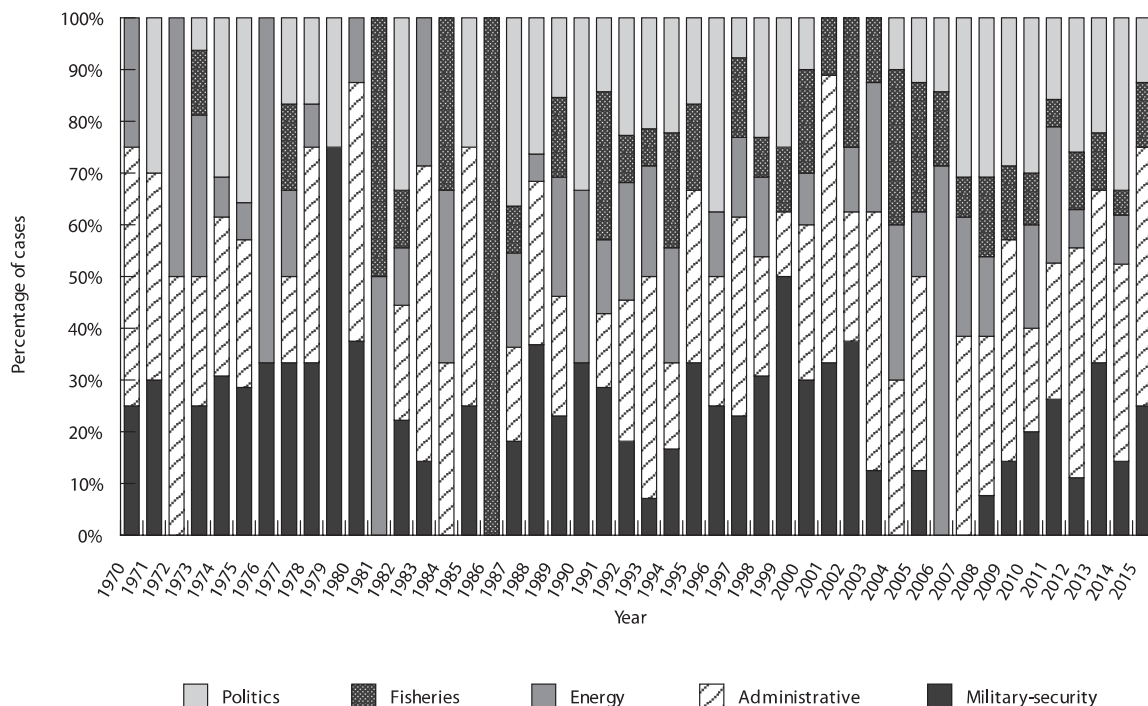


TABLE 6 Total assertive moves (all three claimants), by issue

	Total	Military-security	Administrative control	Energy	Fisheries	Political
1970s	63	26 (41%)	25 (40%)	13 (21%)	3 (5%)	17 (27%)
1980s	56	19 (34%)	25 (45%)	13 (23%)	8 (14%)	15 (27%)
1990s	81	29 (36%)	31 (38%)	20 (25%)	15 (19%)	26 (32%)
2000s	71	14 (20%)	35 (49%)	18 (25%)	17 (24%)	16 (23%)
2010s	72	18 (25%)	34 (47%)	11 (15%)	8 (11%)	23 (32%)

This apparent trend of civilianization in the South China Sea contest has been associated with decreasing use of force but increasing coercive moves.³⁰

The battle for domestic and international political support in the South China Sea disputes began in the late 1980s and has been nearly continuous since then. The issue has been raised in Chinese and Vietnamese publicity and Philippine legislative actions dating back to the 1970s; however, new instances of political maneuvering became a yearly occurrence only after Beijing made its move into the Spratly Islands. From 1987 onward, there has been just one period featuring no observed new assertiveness oriented toward political support: 2001 to 2003. The parties to the dispute appear to have opted for low-key policies as they negotiated the DOC.

Conclusion

Analyzing the three countries' assertive moves by domain and issue area reveals the changing modes and motivations for contestation in the South China Sea as well as the contrasting trends between claimants. Whereas in the 1970s and 1980s direct military moves were central elements in China's and Vietnam's policies, these have become less prominent over time. The fisheries and energy aspects of the disputes, meanwhile, have also faded somewhat in recent years, being replaced by the more general push for unilateral, comprehensive civilian control—often coercive, but sometimes just demonstrative—accompanied by domestic and international political struggle.

Relative to the other claimants, China has continually relied primarily on physical actions, compensating for its weakness in domestic administrative and especially international diplomatic forums. Vietnam has traditionally been the most active user of political contestation in the South China Sea, both domestically and internationally. The Philippines has also increasingly lent on political support since 2011. This tactic paid off, culminating in the highly favorable arbitral ruling under UNCLOS in July 2016. As will be discussed in the conclusion, the decision provided pro-China president Rodrigo Duterte, who took power the same month, with leverage to extract economic benefits and perhaps even temporarily induce moderation in the PRC's conduct.

³⁰ This may reflect a version of the "stability-instability paradox" described by international relations scholars: the observation that the stability engendered by mutually assured destruction at the nuclear level led to greater risk-taking and conflict at the conventional level. In this case, stability at the conventional military level appears to correlate with greater friction in the civilian gray zone. See Robert Jervis, "Why Nuclear Superiority Doesn't Matter," *Political Science Quarterly* 94, no. 4 (1979): 617–33.

Building on chapter 1's breakdown of the types and targets of assertiveness in the South China Sea over the long term, this chapter has identified significant and in many cases little-noticed continuities and changes in the main disputants' prosecution of their claims. However, the story has not been geographically uniform. Chapter 3, therefore, turns to the question of how trends in state contestation have varied across the area's different geographies.

Chapter 3: The Geography of South China Sea Contestation

Pinning assertive state activities to specific geographic coordinates is a challenge. Not only is such information lacking for many cases, but many real-world assertive behaviors—and even specific incidents like ramming or harassment—take place over an expanse of sea rather than at a single point. In addition, many assertive behaviors in the declarative type pertain to the state's claims in general rather than any specific geographic area. This chapter divides the South China Sea into ten large but distinct subregions to investigate the changing level, type, domains, and issues of contestation in each area over time.

The analysis shows how the PRC's assertive behavior since 2007 and the responses it has generated have varied across different parts of the sea. In the Paracel Islands, tensions rose to a level not seen since the 1970s. On the Vietnamese continental shelf, the shift generated incidents of a kind previously seen in the early to mid 1990s, while in waters farther south toward Borneo and the Natuna Islands the PRC's new moves resulted in its first sustained period of friction with Indonesia and Malaysia. Surprisingly, however, despite China's massively expanded presence in the Spratly Islands, the archipelago has not seen the surge in coercion witnessed in most other parts of the South China Sea. Much of the PRC's coercive behavior has occurred in areas of new Chinese presence, suggesting the level of risk associated with assertive actions depends on the context of the state's existing activities in that particular geographic area.

Ten Subregions

The South China Sea can be divided into ten subregions based on distinctive features of environment, resources, the presence of disputed islands, and state claims.³¹ As illustrated in **Figure 15**, these include (1) the Gulf of Tonkin, (2) the Paracel Islands, (3) Central-West, (4) Central-East, (5) Spratly Northwest, (6) Spratly Northeast, (7) Spratly Southeast, (8) Spratly Southwest, (9) Nam Con Son, and (10) Far South. The accompanying interactive Maritime Assertiveness Visualization Dashboard (MAVD) tool visualizes the three key claimants' assertive moves between 1970 and 2015 in each of these subregions, and charts the types, domains, and issues of contestation in each area across time.³²

The MATS data shows, first of all, that the significance of the 2007 policy shift extends far beyond China's actions, for it evidently prompted the other claimant states to intensify their own activities. Each claimant state was better positioned to make assertive moves in physically accessible, geographically proximate areas, especially those in which they already had built infrastructure. As a result, while the PRC's assertive shift initially targeted particular areas, the result was a rise in tensions across virtually all ten subregions.³³

MATS data on assertive actions in the physical domain offers further insight into the causes of the PRC's behavioral shift.³⁴ In the early period of the dispute, the scope of the PRC's assertive on-water actions was limited to the Paracel Islands. From the late 1970s, however, this expanded toward the Spratly Islands, which became the primary focus of new PRC moves from the late

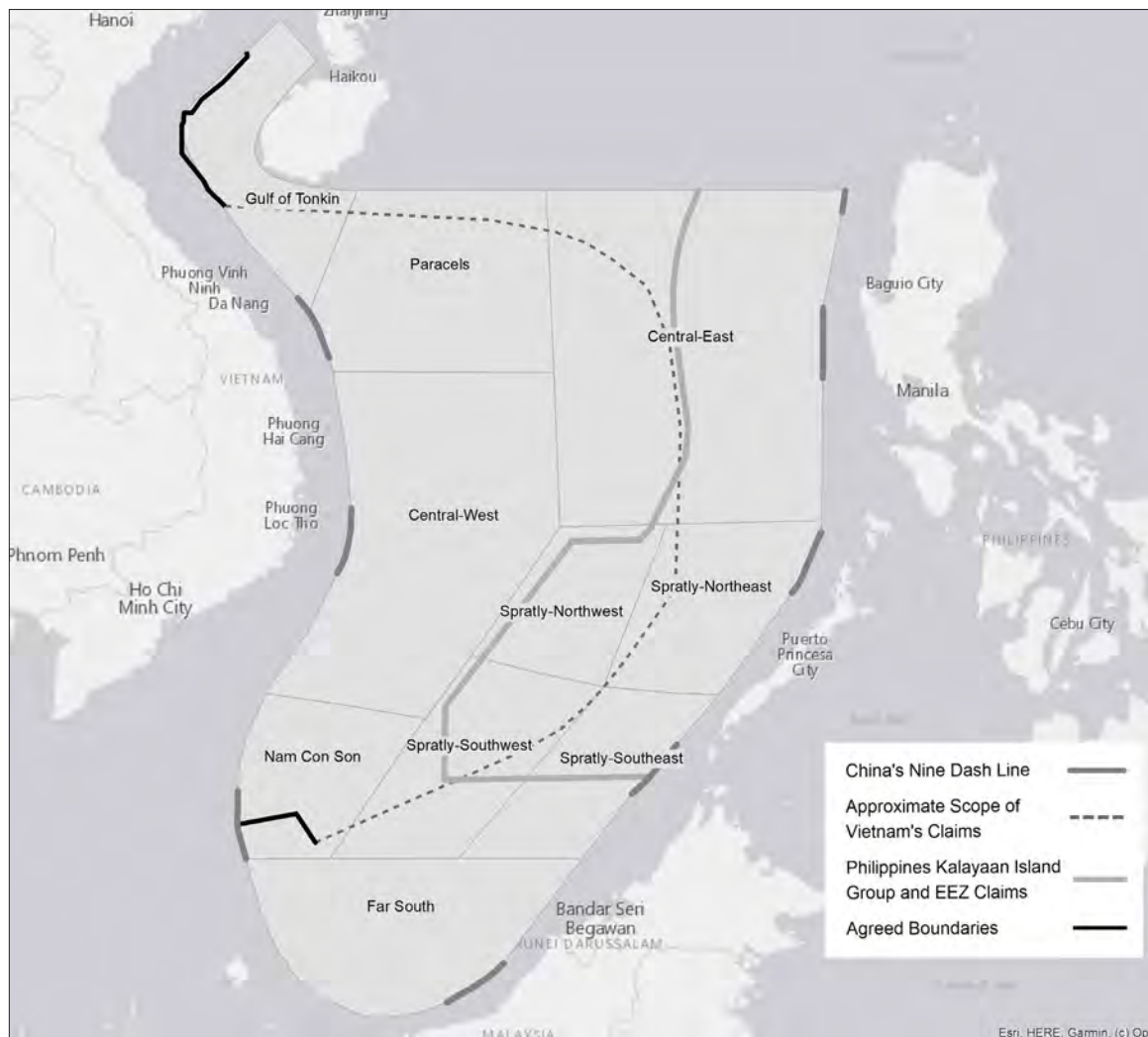
³¹ With a small number of exceptions, as noted, the PRC's and ROC's claims are identical. Unlike the PRC, the ROC has not actively contested most of its nominally claimed areas in recent years.

³² See mavd.nbr.org.

³³ For a color-coded visualization of the yearly number of assertive moves by subregion from 1970 to 2015, see mavd.nbr.org/figures.

³⁴ For a color-coded visualization of the PRC's assertive moves in the physical domain across each subregion, from 1970 to 2015, see mavd.nbr.org/figures.

FIGURE 15 South China Sea subregions (approximate)



1980s to the early 2000s. It was only from 2007 that the PRC showed the ability to rapidly intensify its on-water activities across the South China Sea in general. On the one hand, these observations attest to the importance of not just overall national power, but specific capabilities—such as long-range patrol boats, and later dredgers—in shaping on-water activities. On the other hand, they also suggest China’s use of a judicious strategy, avoiding overstretch by focusing assertive activities on particular areas until its physical presence was consolidated, before moving to new and more distant areas.

The following sections briefly summarize the key features of each of the ten subregions, along with the trends in maritime contestation between 1970 and 2015, especially since 2007. Charts illustrating the number and type of assertive moves, claimants, dyads, domains, and issues of contestation in each subregion can be viewed via the interactive online MAVD.³⁵

³⁵ See mavd.nbr.org.

The Gulf of Tonkin and the Paracel Islands

The *Gulf of Tonkin* is a narrow stretch of shallow sea contested by China and Vietnam and subject to the Sino-Vietnamese Boundary Demarcation Agreement in the Gulf of Tonkin, signed in 2000 and taking effect in 2004. The agreement appears to have brought about a decline in assertive contestation, particularly unilateral demonstrative moves, though coercion continued to occur throughout the 2000s. While disputes through the 1970s, 1980s, and 1990s primarily concerned energy resources, clashes after the border demarcation agreement have more often concerned fisheries.

The *Paracel Islands* and surrounding waters are contested by China and Vietnam and have been under PRC control since 1974. The area is one of relatively intense human activity. The many islands in the archipelago itself, together with the proximity of the area to the coasts of both China and Vietnam, render it a relatively accessible and hospitable environment for military, administrative, energy, and fishing activities.

A PRC attack on South Vietnamese forces in 1974 remains the only use of force in the area since 1970, and levels of contestation remained low through most of the 1980s. This likely reflected the recently reunified Socialist Republic of Vietnam's desire to avoid opening additional military fronts while it faced severe tensions with the PRC on the land border the two countries share. Vietnam's conduct in the Paracel Islands remained restrained in the 1990s, too, as it sought first to consolidate relations with the PRC following normalization of diplomatic relations in 1991 and then to join ASEAN. However, coercive incidents related to the Paracel Islands became more frequent in the early 2000s after the Sino-Vietnamese maritime border agreement in the Gulf of Tonkin. The agreement is believed to have prompted some Vietnamese fishing communities to increase their activities in the Paracel Islands as a replacement for former fishing grounds that now fell on the PRC side of the agreed maritime border.

Since 2007, contestation in the Paracels has been a microcosm of the broader Chinese policy shift toward increasing assertiveness, primarily driven by new coercive behaviors. Vietnam's diplomatic and political support-seeking over the islands has also greatly increased since 2007. Now outmatched in the physical domain, and with the PRC no longer showing the restraint it had in the 1990s and early 2000s, Hanoi appears to have opted for domestic and international political fronts for its claim, as seen in its decisions to allow anti-Chinese protests in Vietnam from 2007 onward and embed foreign media with Vietnamese maritime law-enforcement units during incidents such as the HYSY-981 oil rig confrontation in nearby waters in May 2014.

Central South China Sea

The central part of the South China Sea varies significantly from west to east in terms of environment, resources, and claimants. The *Central-West* subregion is a stretch of relatively shallow waters on the continental shelf of central Vietnam. Hanoi's energy explorations there have shown promising prospects for oil and gas. This area has become a new and major focus of assertive behavior in recent years.

Before 2005 the area was barely contested, but increasing oil prices since 2003 appeared to stimulate Chinese and Vietnamese pursuit of the area's energy deposits. Beginning in 2006, the PRC attempted to coerce Vietnam into abandoning its energy explorations and accepting joint development, first by using economic threats against third-country partners in the diplomatic domain, followed by on-water coercion in the physical domain. Contestation also increased in

the lead-up to the May 2009 deadline for the submission of technical data to support extended continental shelf claims under UNCLOS. The deadline, which had been set in 2001, motivated both Vietnamese survey activity, which stood to bolster Vietnam's claims by gathering data to prove the area constituted part of its continental shelf, and Chinese countermeasures designed to interfere with those surveys. The most prominent incident occurred two years later, in May 2011, when PRC patrol ships severed the trailing sonar array of a Vietnamese-commissioned Russian survey ship, in effect sabotaging the operation. A similar incident was reported in late 2012.

Such friction appears to have declined since 2013, possibly reflecting the deterrent effect of the PRC's campaign of coercion. The decline in assertive activities may also have been related to initiation of the wide-ranging *Philippines v. China* arbitration case in February 2013. By considering whether the PRC's nine-dash line could constitute a legitimate claim to maritime resource rights, the arbitration had the potential to establish the Central-West area as unambiguously part of Vietnam's continental shelf under international law—as it eventually did in July 2016. Vietnam may therefore have decided to wait for this international legal backing before pressing ahead with development in the area.

The *Central-East* subregion is a much deeper expanse of sea off the coast of the largest Philippine island, Luzon. This area encompasses the Sino-Philippine bilateral dispute over the Scarborough Shoal. While the main oil and gas resources in the South China Sea lie elsewhere, the rich fisheries of this subregion have drawn Chinese, Vietnamese, and Philippine fisherfolk for centuries. The tribunal in the *Philippines v. China* arbitration case ruled in 2016 that all three claimants enjoy traditional fishing rights at Scarborough Shoal.

The Central-East subregion, particularly Scarborough Shoal, was seldom an area of new assertive behavior in the 1970s, before regular Sino-Philippine incidents began there in the 1990s. The increase in physical real-world actions from 1997 onward reflects the Philippines' new attempts to exert actual control around Scarborough Shoal. PRC activity in the area increased from 2007, though the change was less dramatic than in the Central-West nearer to Vietnam, where PRC assertiveness had not previously been observed.

An outlier year in the Central-East subregion was 2012, which marks the first use of force in the area during the period analyzed. This use of force included a physical seizure of Scarborough Shoal by PRC ships during a well-documented and highly public standoff with the Philippines. The incident injected a new domestic and international political salience into a remote patch of sea to which neither citizens in the two claimant countries nor foreign observers had previously paid significant attention. The seizure of the shoal was accompanied by numerous moves in the domestic administrative domain, sparking a domestic and international political and public opinion battle over ownership of the feature and control of the area more broadly.

The Spratly Islands

The Spratly archipelago sprawls across the southeastern quarter of the South China Sea, comprising hundreds of islands, rocks, reefs, and underwater atolls across more than 400,000 square kilometers. With no permanent inhabitants before the 1950s, the sheer number of submerged features, combined with the area's remoteness, meant that much of the area was uncharted until the 20th century. Even 21st-century Western nautical charts labeled virtually the entire area as a "danger zone," from which commercial shipping lanes steer well clear. Colonial powers such as the United Kingdom, France, and Japan explored the idea of taking possession

of islands in the area up until the 1940s, but none of their furtive projects establishing outposts persisted longer than a few years.

It was only in the 20th century that regional states began laying sovereignty claims to the handful of above-water islands within the group—and even then, the claims did not include the expanses of ocean between. It was following the release of a UN report on the possibility of oil and gas deposits that the entire maritime area covered by the archipelago became the site of intense state contestation in the early 1970s. As illustrated in **Figure 16**, the MATS data shows no year since 1970 in which assertive moves did not occur in the Spratlys. The figure also indicates how several dozen disputed features in the Spratly group have been seized by the three claimant states whose behavior is tracked in the database. However, no such actions have been observed since 1999; instead, each country has concentrated on consolidating its existing outposts, on differing scales at different times and with divergent levels of success. This reticence most likely reflects the claimant states’ recognition of the escalatory potential of occupying features, as reflected in the 2002 DOC. Under that nonbinding agreement, states explicitly foreswore further actions to settle unoccupied reefs, rocks, or atolls.

The data reveals, counterintuitively, that coercion has not been on the rise in the Spratly Islands since the PRC began its assertive turn in 2007, despite the archipelago being a key feature of the policy shift. Coercive moves were observed between 1998 and 2003 but have declined since the signing of the DOC. It should be noted that this trend does not necessarily imply that coercion has ceased since that time. It simply means that any observed coercion constituted a continuation of behaviors established in earlier years. However, as told below, the story is not necessarily the same in all parts of the archipelago (see **Table 7**).

Spratly Northwest. The northwestern quarter of the Spratly Islands has been the most contested part of the archipelago. Although it is hundreds of kilometers from any claimant’s coastline, the area is nonetheless the most accessible part of the archipelago to Vietnam and China. A second reason for the high levels of contestation is that the area encompasses the Thitu Reefs, Tizard Bank, and Union Reefs, which contain most of its dozen or so naturally formed land features—prime real estate that would not require expensive and vulnerable land reclamation programs to occupy, and which would qualify for a territorial sea under international law. The Philippines and Vietnam have occupied features in this subregion since the 1970s and 1980s, and the PRC fought a deadly naval skirmish against Vietnam to establish a foothold there in 1988, setting up its first artificial island outposts. This in turn prompted Vietnam to occupy several more reefs in the area.

The MATS data suggests that contestation in this traditional epicenter of interstate rivalry may actually have abated somewhat over time. The most likely explanation is that, as the focal point for island-grabbing in the 1970s and 1980s, contestation reached a “saturation point” relatively early. While the Spratly Northwest area has not been a focus of significant oil prospecting, its rich fishery resources were a key driver of new assertive moves in the 1990s, though rarely after 2003.

Spratly Northeast. The Spratly Northeast subregion is disputed primarily by China and the Philippines. The northeastern Spratly Islands are characterized by shallower waters, prospective oil and gas deposits at Reed Bank, and proximity to the Philippine island of Palawan. The features here are mostly underwater reefs, leaving the PRC’s construction on Mischief Reef in 1994 and the Philippines’ grounding of an antiquated navy landing ship on Second Thomas Shoal in 1999 as the only seizures of disputed features in the area since 1971.

FIGURE 16 Total observed assertive moves in the Spratlys (all three claimants) (1970–2015)

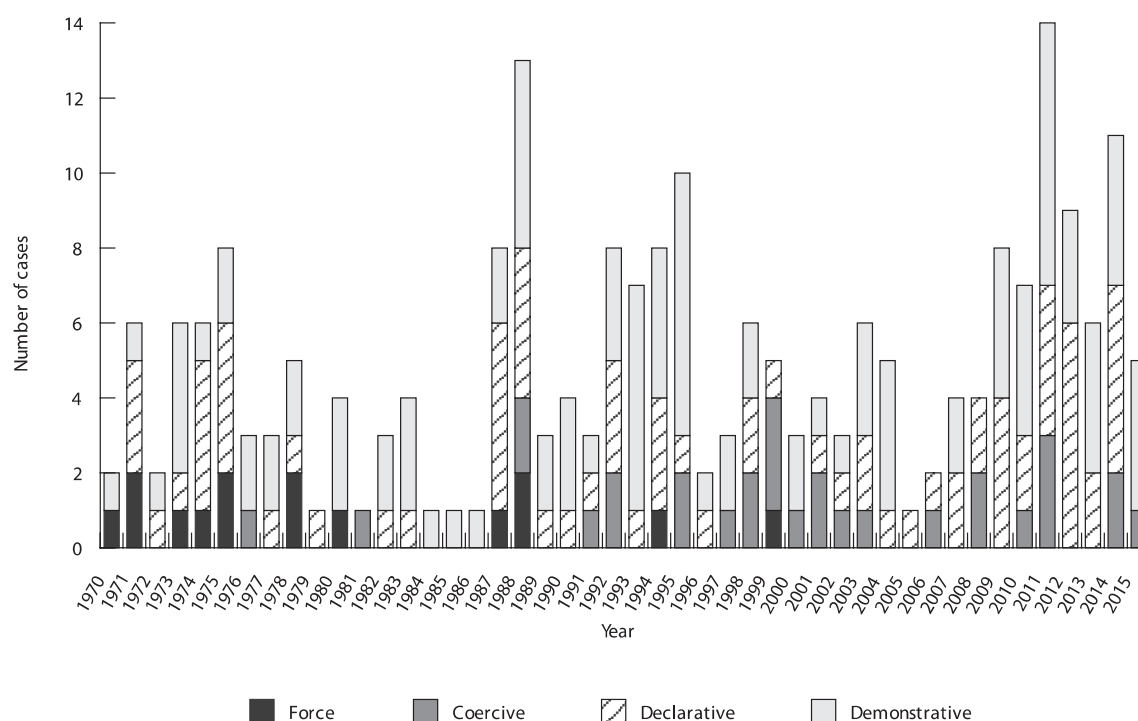


TABLE 7 Assertive moves in four Spratly subregions (all three claimants), by decade

Subregion	1970s	1980s	1990s	2000s	2010s	Total
Spratly-NW	34 (81%)	36 (90%)	36 (64%)	35 (85%)	32 (62%)	173
Spratly-NE	23 (55%)	22 (55%)	39 (70%)	21 (51%)	41 (79%)	145
Spratly-SE	14 (33%)	22 (55%)	24 (43%)	18 (44%)	22 (42%)	101
Spratly-SW	23 (55%)	23 (58%)	29 (52%)	30 (73%)	28 (54%)	139
All Spratlys	42 (100%)	40 (100%)	56 (100%)	41 (100%)	52 (100%)	231

Assertiveness has generally been rising over time in this subregion, with the exception of the relatively cordial period of the 2000s when the China-friendly Arroyo administration in Manila coincided with a period of restraint on Beijing's part. Since then, however, new physical on-water moves have become more frequent, as contestation over the area's energy prospects has prompted the politicization of claims. This is also a subregion where the PRC's gray-zone tactics have been advancing administrative control on the water, mostly through increases in civilian patrol boat presence.

Spratly Southeast. The southeastern part of the Spratly Islands is another area where Chinese assertive advancements have generally come at the Philippines' expense. This is a deep and remote area with many dangerous, isolated atolls that lie just below the waterline at high tide. Fishery resources are abundant and have been the main focus of resource contestation. The area is subject to claims by the PRC, the Philippines, and Malaysia—but only the latter two countries occupy features in the area. The PRC has not yet attempted to establish a foothold.

Levels of new assertive behavior have generally been lower in this southeastern quadrant of the Spratlys than other subregions, reflecting both the remoteness and the relative lack of presence of Vietnam and the PRC—the two most active claimants in the archipelago. Fisheries have been a source of Sino-Philippine contention, particularly in the 1990s when Manila had the capability to detain and charge Chinese fishers in the area. Such cases have only occasionally been observed in the post-2007 period marked by the PRC's assertive turn.

Spratly Southwest. Finally, the southwestern quarter of the Spratly Islands is another highly contested area containing several small land features, most of which are controlled by Vietnam. Single features are occupied by China and Malaysia. Although new or intensified coercive behaviors have been rare since the mid-2000s, gray-zone tactics oriented toward the exercise of comprehensive normalized civilian control, including island-building and routinized patrolling, have become increasingly common. This may reflect the strong and long-standing state presence there leading to a *modus vivendi* that lessens the perceived need for coercive action.

The Southern South China Sea

At the far southern end of the South China Sea lie two relatively new areas of contestation. The first is the *Nam Con Son* subregion, which covers an energy-rich area of Vietnam's continental shelf extending some 400 kilometers from the country's southern coast, significant parts of which lie within the PRC's nine-dash line. The area does not have any land features (above the water at high tide) to occupy, though in the late 1980s and early 1990s Vietnam built numerous scientific and technological observation stations (e.g., DK-1) in shallower patches of these waters.

Hanoi has also completed numerous energy projects in this subregion, especially in the *Nam Con Son* Basin itself. The basin contains some of the richest oil and gas deposits anywhere in the South China Sea. This started with the issuing of exploration rights in the 1980s (often with third-country companies) and implementation of seismic surveys, followed by drilling, the signing of production contracts in the 1990s and 2000s, and eventually the installation of extraction rigs and pipelines to deliver oil and gas to mainland Indochina. In the 1990s the PRC attempted to set up a rival, overlapping development scheme in an area it called Wan'an Bei 21, leading to tensions and at least one serious incident of coercion.

Interestingly, despite being the focus of China's coercive diplomatic campaign against Vietnamese energy development, only a minority of assertive moves over the *Nam Con Son* basin after 2007 have directly concerned the area's energy resources. The majority of cases are accounted for by China's increases in regular patrolling across the South China Sea in general, and Vietnam's early political efforts to rally support in response to the PRC's new coerciveness and buildup of civilian maritime patrol presence, particularly in 2007–8.

The second area of relatively recent contestation is termed here the *Far South* subregion. This subregion covers the far southern end of the area within the PRC's nine-dash line, offshore from Borneo and the Natuna Islands. Here, the line overlaps with the exclusive economic zones (EEZs)

and continental shelf claims of Indonesia, Malaysia, and Brunei. Very few features are occupied in this area. Malaysia's diving resort on Swallow Reef is a rare exception, although there is at least one other patch of land at Luconia Breakers. The area is rich in fish stocks as well as undersea oil and gas, which Malaysia has brought to production since the 1990s.

Interstate contestation began with the arrival of the PRC's exploratory survey missions in 1983 and persisted into the 1990s. It is important to note, however, that the trilateral MATS data examined here does not capture Malaysian, Indonesian, and Bruneian actions in the area, so it can be assumed that overall assertiveness was somewhat higher during the period covered.

Besides the late onset of Chinese assertiveness in these far southern reaches of the South China Sea, two further points are apparent from the MATS data. First, contestation in the diplomatic domain over these areas, at least from the PRC side, has been extremely rare. PRC diplomatic assertiveness has mostly followed the PRC's attachment of the nine-dash line to an official communique circulated to the United Nations in 2009, which signaled for the first time the country's intention to assert this claim in international forums. Second, the PRC's interests in the area are comprehensive, spanning military, civilian administration, energy, fisheries, and (mostly domestic) politics.

Conclusion

Breaking down the locations of South China Sea assertiveness into a broad scheme of ten subregions sheds additional light on the dynamics of the region's maritime contestation in several respects. First, it demonstrates that China's assertive drive for control since 2007 has covered all areas of the South China Sea and has not been limited to bilateral dynamics with either the Philippines or Vietnam. Second, the story of how the assertive push arose, and the responses it has generated, is significantly different in different parts of the sea. While in the Paracel Islands, the increased yearly number of new assertive cases from 2007 constituted a return to levels previously seen in the 1970s, areas to the south along the central Vietnamese continental shelf, and particularly farther south, were experiencing sustained frictions for the first time.

Meanwhile, in the east, the Spratly archipelago has been a surprising exception to the surge in coercive activities seen almost everywhere else in the South China Sea. This suggests that increased coercion has been a primary consequence of the PRC intensifying its activities in areas where it was previously absent or had only a minimal presence. In 1987–88, the establishment of a Chinese presence in the Spratly Islands where there was previously none resulted in bloody naval clashes with Vietnam. However, with the PRC already established in such areas from 2007 onward, the massive upsurge in activities associated with its island-building campaign from 2013 did not directly generate coercive confrontations. This suggests that the level of risk associated with a given assertive action depends heavily on the context of existing activities in the area in which it occurs.

Conclusion:

The South China Sea since 2016—Trends and Policy Implications

The PRC's increasing assertiveness has been a constant feature of the South China Sea disputes since 1970. This trend, however, has been particularly salient since 2007, when Beijing embarked on a protracted administrative buildup accompanied by regular coercive behavior. The timing of this surge disconfirms several commonly cited explanations for China's assertive maritime policy, including weakened U.S. credibility resulting from the 2008–9 global financial crisis and the ascendancy of Xi Jinping to leadership of the Chinese Communist Party in 2012. We have seen how Southeast Asian claimants have long sought to counter the PRC's moves with assertive moves of their own, but after 2007 the data suggests they have been unable to keep pace as Beijing's new capabilities overcame their geographic proximity and early-mover advantages. This raises the questions of whether different trends have been observed since 2016, and how policymakers should respond.

Trends since 2016

While data collection for the post-2016 period has yet to be completed, there appears to have been a general continuation or even intensification of the trends identified in the MATS data examined in this report. Overall, the PRC's behavior has followed its 2007–15 patterns. There have been at least five to seven likely cases of new assertive activity observed each year since 2015, with two to three of these cases falling within the coercive category. However, some variation has been observed within this broad trend.

Several months after the 2016 *Philippines v. China* UNCLOS arbitral ruling, which found Chinese maritime jurisdictional claims based on the nine-dash line to be unlawful, the PRC's assertiveness diminished. For the first time since 2012, Philippine vessels were able to fish in Scarborough Shoal without interference from the China Coast Guard, and there were no known oil and gas skirmishes between China and Vietnam. Some observers noted that the PRC, despite denouncing the case, seemed to bring some of its practices into greater compliance with UNCLOS.³⁶ Notably, it was able to comply with key aspects of the arbitral ruling simply by refraining from further coercive actions over oil and gas resources along the edges of the nine-dash line.³⁷

By mid-2017, however, it became clear that any adjustments on the PRC's part had only been temporary. Beijing reportedly pressured Vietnam into halting the drilling of a well on its continental shelf, to which the PRC had no plausible claim under UNCLOS following the arbitration. Similar acts of pressure were observed in 2018.³⁸ From 2019 onward, China heightened its coercion against energy exploration activities by Vietnam and Malaysia on their respective continental shelves by sending survey vessels and coast guard escorts to conduct

³⁶ Julian Ku and Chris Mirasola, "Tracking China's Compliance with the South China Sea Arbitral Award: Scarborough Shoal Update," Lawfare, October 31, 2016, <https://www.lawfareblog.com/tracking-chinas-compliance-south-china-sea-arbitral-award-scarborough-shoal-update>.

³⁷ Bill Hayton, "Denounce but Comply: China's Response to the South China Sea Arbitration Ruling," *Georgetown Journal of International Affairs* 18, no. 2 (2017): 104–11.

³⁸ Bill Hayton, "South China Sea: Vietnam Halts Drilling after 'China Threats,'" BBC News, July 24, 2017, <https://www.bbc.co.uk/news/world-asia-40701121>; and Bill Hayton, "South China Sea: Vietnam 'Scraps New Oil Project,'" BBC News, March 23, 2018, <https://www.bbc.co.uk/news/world-asia-43507448>.

close-in surveillance of these operations.³⁹ Doubling down on its nine-dash-line claim, the PRC in late 2019 sent dozens of fishing boats accompanied by coast guard vessels into Indonesia's EEZ at the southern end of the nine-dash-line area, frustrating Indonesian efforts to prevent illegal fishing activities.⁴⁰

The construction of artificial islands from 2013 to 2015 appears to have enabled an increased number of trawlers to operate in surrounding waters, many of which belong to the PRC's maritime militia. At various times since 2018, hundreds of Chinese trawlers have lingered near loosely Philippine-controlled features, such as Sandy Cay in 2019 and Whitsun Reef in 2021, in apparent surveillance or reconnaissance operations.⁴¹ The expansion of the artificial islands has also supported a regularized presence of the China Coast Guard at Second Thomas Shoal, Luconia Shoals, and other features in the sea's far southern reaches.⁴² The oil and gas survey operations that were launched in 2019 to intimidate Vietnamese and Malaysian exploration activities on those countries' continental shelves may have also been sustained by resupply stops at the artificial island outposts. These examples confirm that, as observed in the MATS data, assertiveness at one time tends to lead to further assertive activities in the future.⁴³

In Manila, there appears to be more continuity in the Philippines' policy since President Rodrigo Duterte took power in 2016 than is commonly appreciated by outside analysts. Duterte's enthusiastic rhetorical embrace of China and Xi Jinping and disparagement of the United States over its criticisms of his war on drugs marked a major break with his predecessor. However, his South China Sea policy has featured continued diplomatic contestation, including frequent official protests, information releases, and sharp comments from the secretaries of defense and foreign affairs over PRC actions in the sea.⁴⁴

Duterte took office three weeks after the South China Sea arbitral tribunal. Although he conspicuously opted not to raise the ruling in meetings with PRC officials, as early as August 2016 he referred to it as "a piece of paper" with "four corners" that could not be escaped, reserving the right to invoke it in the future.⁴⁵ Duterte exercised that right with increasing gusto in recent years in international forums. For example, in a 2020 address to the UN General Assembly, Duterte declared that the "award is now part of international law, beyond compromise and beyond the reach of passing governments to dilute, diminish, or abandon." At the same venue the following year, he asserted that "no amount of willful disregard by any country however big and powerful

³⁹ "Update: China Risks Flare-Up Over Malaysian, Vietnamese Gas Resources," CSIS, Asia Maritime Transparency Initiative (AMTI), December 13, 2019, <https://amti.csis.org/china-risks-flare-up-over-malaysian-vietnamese-gas-resources/>; "Malaysia Picks a Three-Way Fight in the South China Sea," CSIS, AMTI, February 21, 2020, <https://amti.csis.org/malaysia-picks-a-three-way-fight-in-the-south-china-sea/>; "Update: Chinese Survey Ship Escalates Three-Way Standoff," CSIS, AMTI, May 18, 2020, <https://amti.csis.org/chinese-survey-ship-escalates-three-way-standoff/>; and "China and Malaysia in Another Staredown over Offshore Drilling," CSIS, AMTI, November 25, 2020, <https://amti.csis.org/china-and-malaysia-in-another-staredown-over-offshore-drilling/>.

⁴⁰ "Gone Fishing: Tracking China's Flotilla from Brunei to Indonesia," CSIS, AMTI, January 30, 2020, <https://amti.csis.org/gone-fishing-tracking-chinas-flotilla-from-brunei-to-indonesia/>.

⁴¹ Andrew S. Erickson and Ryan D. Martinson, "Records Expose China's Maritime Militia at Whitsun Reef," *Foreign Policy*, March 29, 2021, <https://foreignpolicy.com/2021/03/29/china-militia-maritime-philippines-whitsunreef/>; and "The Long Patrol: Staredown at Thitu Island Enters Its Sixteenth Month," CSIS, AMTI, March 5, 2020, <https://amti.csis.org/the-long-patrol-staredown-at-thitu-island-enters-its-sixteenth-month/>.

⁴² "Signaling Sovereignty: Chinese Patrols at Disputed Reefs," CSIS, AMTI, September 26, 2019, <https://amti.csis.org/signaling-sovereignty-chinese-patrols-at-contested-reefs/>.

⁴³ John W. Garver, "China's Push through the South China Sea: The Interaction of Bureaucratic and National Interests," *China Quarterly*, no. 132 (1992): 999–1028; and Chubb, "PRC Assertiveness in the South China Sea."

⁴⁴ International Crisis Group, "The Philippines' Dilemma: How to Manage Tensions in the South China Sea," Asia Report, no. 316, December 2021, 12–17.

⁴⁵ Ruth Abbey Gita, "China Willing to 'Cooperate' with PH Over Maritime Dispute," *SunStar*, September 29, 2016, <https://www.sunstar.com.ph/article/94929/china-willing-to-cooperate-with-ph-over-maritime-dispute>.

can diminish the arbitral award's importance.⁴⁶ Not surprisingly, the PRC's on-water coercion against Philippine targets has resumed, though Beijing has remained rhetorically reticent toward Manila over the issue.

Despite seeking economic benefits via ostentatious praise of Beijing, the Philippines under Duterte has reinvigorated its on-water presence in the disputed area. First, the country has strengthened its maritime law-enforcement presence around the Scarborough Shoal. This was in part the result of earlier deals and donations resulting in the transfer of ex-navy boats from Australia and Japan, organized under the Aquino administration. However, significant deals under Duterte have resulted in the Philippine Navy's acquisition of two new frigates built in South Korea and the Philippine Coast Guard's procurement of two large cutters in a deal with Japan.⁴⁷ Perhaps the most significant development has been the long-awaited infrastructure upgrades at Philippine outposts in the Spratly Islands, including a new harbor and beaching ramp at Pagasa Island. In turn, as of 2021, these upgrades were enabling the concreting of the island's dilapidated grass airstrip.⁴⁸ Finally, the Duterte administration has also lifted a moratorium on oil and gas drilling in several areas within the PRC's nine-dash line.⁴⁹

Vietnam, meanwhile, has continued its grudgingly restrained on-water policy, avoiding confrontation with the PRC while quietly upgrading its own facilities.⁵⁰ Modest land reclamation continued through 2016, with the airstrip at Spratly Island extended to four thousand meters and the likely installation—publicly denied—of an Israeli-made rocket artillery system.⁵¹ Since then, several rounds of infrastructure and equipment upgrades have been observed, including hangars and radomes.⁵² However, despite the runway upgrade at Spratly Island, a plan announced in 2015 for tourist flights to the Spratly Islands does not appear to have been implemented at the time of writing.

In the political domain, Hanoi has continued to push for a stronger ASEAN position on the disputes, while in some respects scaling back its earlier efforts to internationalize the dispute and harness domestic nationalist sentiments. Vietnam's stint as the 2020 ASEAN chair offered some contrast to its previous term in 2010. That year, Vietnam lobbied for greater U.S. involvement in the South China Sea, provided an extravagant reception for then U.S. secretary of defense Robert Gates during his visit, and facilitated a high-profile statement from the United States at the ASEAN

⁴⁶ Argyll Cyrus Geducos, "Duterte Asserts: South China Sea Arbitral Award Must Be Honored by All Nations," *Manila Bulletin*, September 22, 2021, <https://mb.com.ph/2021/09/22/duterte-asserts-south-china-sea-arbitral-award-must-be-honored-by-all-nations>.

⁴⁷ "Philippine Coast Guard Gets Boost with Two New Patrol Vessels," *Maritime Executive*, July 27, 2021, <https://www.maritime-executive.com/article/philippine-coast-guard-gets-boost-with-two-new-patrol-vessels>; and Christian Lopez, "Coast Guard Visits Philippines for First Time in Seven Years after Training in South China Sea," *Stars and Stripes*, May 16, 2019, https://www.stripes.com/theaters/asia_pacific/coast-guard-visits-philippines-for-first-time-in-seven-years-after-training-in-south-china-sea-1.581206.

⁴⁸ Frances Mangosing, "Pag-asa Gets Upgrade amid China Objection," *Inquirer* (Philippines), June 13, 2020, <https://globalnation.inquirer.net/188510/pag-asa-gets-upgrade-amid-china-objection>; and "Philippines Launches Spratly Runway Repairs," CSIS, AMTI, May 25, 2018, <https://amti.csis.org/philippines-launches-spratly-repairs>.

⁴⁹ It is unclear whether Duterte would be willing to approve unilateral Philippine drilling in the Reed Bank, site of the 2011 confrontation, without PRC participation in the project.

⁵⁰ International Crisis Group, "Vietnam Tacks Between Cooperation and Struggle in the South China Sea," *Asia Report*, no. 318, December 2021.

⁵¹ "Updated: Vietnam Responds with Spratly Air Upgrades," CSIS, AMTI, December 1, 2016, <https://amti.csis.org/vietnam-responds>; "Vietnam Builds Up Its Remote Outposts," CSIS, AMTI, August 4, 2017, <https://amti.csis.org/vietnam-builds-remote-outposts>; and Greg Torode, "Exclusive: Vietnam Moves New Rocket Launchers into Disputed South China Sea—Sources," *Reuters*, August 10, 2016, <https://www.reuters.com/article/us-southchinasea-vietnam-exclusive/exclusive-vietnam-moves-new-rocket-launchers-into-disputed-south-china-sea-sources-idUSKCN10K2NE>.

⁵² "Slow and Steady: Vietnam's Spratly Upgrades," CSIS, AMTI, April 8, 2019, <https://amti.csis.org/slow-and-steady-vietnams-spratly-upgrades>.

Regional Forum hosted in Hanoi.⁵³ In 2020, by contrast, amid the Covid-19 pandemic, there was little evidence of an attempt to leverage outside powers in the South China Sea. However, the chairman's statement in the two ASEAN summits held in 2020 did include important new text affirming that "UNCLOS sets out the legal framework within which all activities in the oceans and seas must be carried out."⁵⁴ Domestically, meanwhile, anti-China protests over the South China Sea disputes have not been permitted since 2014, perhaps signaling to Beijing an intent to cooperate to avoid escalation.

Hanoi's relative reticence in the domestic and diplomatic domains reflected the United States' unreliability and lack of regard for multilateral engagement under the Trump administration as well as the imperatives of the Covid-19 pandemic. On the water, meanwhile, Vietnam has acquiesced to PRC demands that it halt oil and gas explorations on its continental shelf in 2017 and 2018 and canceled two agreements with European partners in 2020.⁵⁵ This may also indicate that the Vietnamese Communist Party leadership under General Secretary Nguyen Phu Trong has placed somewhat greater emphasis on relations with China, relative to contesting the South China Sea. So far, the Biden administration's re-engagement with ASEAN processes has yet to coincide with any obvious shift in Vietnam's policy of restraint, including on its own continental shelf.

Policy Implications

The data presented in this report carries the following five main implications for policymakers.

Chinese assertiveness has less to do with the United States than is commonly believed. The data on China's behavior suggests that the PRC's assertive policy in the South China Sea has had less to do with great-power competition with the United States than is assumed by many Western analysts. While there is no doubt that the region is overshadowed by U.S.-China strategic rivalry, the data clearly shows that China's basic policy—comprising rapid administrative buildup and coercion of rival claimant states—began well before the 2008 global financial crisis and associated perceptions of a decline in U.S. power, and a decade before the recent downturn in Sino-U.S. relations from 2017. Given that the advancement toward control of the South China Sea has been a central goal for China since the 1990s, many of the assertive behaviors observed today likely have little to do with the level of U.S.-China tensions or perceptions of U.S. weakness.

Only a small number of China's South China Sea moves up to 2015 were discernibly directed at the United States. It is possible that some assertive actions aimed at other claimants have been indirectly aimed at undermining the credibility of the U.S. position in the region, but most South China Sea claimants are not U.S. allies, and even in the case of the U.S.-Philippines Mutual Defense Treaty, ambiguity persisted regarding the treaty's applicability to the South China Sea until mid-2020.⁵⁶ The observation that Chinese assertiveness has been increasing consistently since 1970 suggests that most cases likely stem from slower-moving systemic drivers, such as the development

⁵³ "Vietnam Revives Guerrilla Tactics," *South China Morning Post*, October 14, 2010, <https://www.scmp.com/article/727430/vietnam-revives-guerilla-tactics>.

⁵⁴ Nguyen Xuan Phuc, "Chairman's Statement of the 36th ASEAN Summit, 26 June 2020: Cohesive and Responsive ASEAN," June 26, 2020, <https://asean.org/wp-content/uploads/2020/06/Chairman-Statement-of-the-36th-ASEAN-Summit-FINAL.pdf>.

⁵⁵ International Crisis Group, "Vietnam Tacks Between Cooperation and Struggle," 25.

⁵⁶ "U.S. Repeats Warning to China against Attack on Philippine Forces," Reuters, July 12, 2021, <https://www.reuters.com/world/china/us-repeats-warning-china-against-attack-philippine-forces-2021-07-12>.

of UNCLOS during the 1970s, its translation into legal-administrative and enforcement systems by the PRC since the 1990s, and China's rising material power.⁵⁷

Deterrence should focus on economic measures rather than military risk. Washington has helped deter PRC reef occupations in the Spratlys since 1995, and more recently a planned island-building campaign at Scarborough Shoal. But given the protracted nature of the PRC's increasing assertiveness as shown in the MATS data, U.S. policy faces significant challenges in deterring assertive behavior short of the use of force.⁵⁸ None of the PRC's past demonstrative and coercive moves have crossed any U.S. red lines. This has prompted some U.S. strategists to advocate for operations deliberately designed to carry an increased risk of military escalation.⁵⁹ Doing so, however, would undermine a key strength of the U.S. position in East Asia vis-à-vis China: the belief among regional states that it is a stabilizing force.

The United States should continue to deter further reef seizures, island-building, and the use of military force, and strengthen its regional military presence in ways acceptable to the regional states in order to offset PRC strategic advancement toward control of the region. But its deterrence strategy should be crafted to avoid unnecessarily raising the risks of military confrontation.⁶⁰ Instead, U.S. strategy should draw leverage from the Chinese party-state's dependence on rising material living standards for its domestic legitimacy. The United States could incentivize restraint in the South China Sea, for example, by linking the issue to trade negotiations. Doing so could form the centerpiece of a new U.S. strategy for the South China Sea, but it would require an elevation of the issue in the hierarchy of U.S. concerns in the region.⁶¹

ASEAN and interested extraregional parties should make symbolic moves to resolve intra-ASEAN disputes. ASEAN and other interested extraregional parties, such as the United States and EU, should take steps to promote the resolution of the remaining intra-ASEAN disputes in the South China Sea. As the MATS data indicates, ASEAN countries have successfully neutralized their once-salient internal disputes, as their concerns over the South China Sea are now exclusively directed toward China rather than each other. This provides an unused source of leverage vis-à-vis Beijing, which is highly averse to ASEAN unity on the issue. The ASEAN claimants, together with other member states with an interest in maintaining the grouping's "centrality" in managing the dispute (e.g., Indonesia and Singapore), could pursue incremental steps toward formal resolution of these disputes as a political signal to the PRC that incentivizes restraint, and potentially concessions in the stalled ASEAN-China negotiations toward a code of conduct for the South China Sea.

As a first step, ASEAN claimants could note the matter of the small areas of the South China Sea subject to intra-ASEAN dispute in a ministerial- or working-level meeting. A further step could involve expert dialogue toward a goal of defining the features subject to intra-ASEAN dispute. If a basic consensus could be reached among experts, governments would have flexible options to endorse it at higher levels up to summit level at a time of their choosing. Doing so would signal a willingness to take steps toward resolution of internal disputes, while leaving the option to

⁵⁷ For a detailed account of these processes, see Chubb, "PRC Assertiveness in the South China Sea," 97–112.

⁵⁸ Hal Brands and Zack Cooper, "Getting Serious about Strategy in the South China Sea," *Naval War College Review* 71, no. 1 (2018): 21.

⁵⁹ Elbridge Colby and Ely Ratner, "Roiling the Waters: Why the United States Needs to Stop Playing Peacemaker and Start Making China Feel Uncomfortable," *Foreign Policy*, January 21, 2014.

⁶⁰ International Crisis Group, "Competing Visions of International Order in the South China Sea," Asia Report, no. 315, November 2021, 32–33.

⁶¹ Steven Stashwick, "What Analysis Is Required to Compel a New U.S. Strategy in the South China Sea?" *Naval War College Review* 71, no. 4 (2018): 131–36.

press ahead and execute a formal agreement to this effect, creating incentives for the PRC to make concessions to avoid such an outcome.

ASEAN or a minilateral subgrouping of member states should sponsor a joint fisheries management scheme. With the South China Sea's fish stocks reportedly on the brink of catastrophic collapse, ASEAN—or a minilateral subgrouping of interested ASEAN states—should sponsor a conference and negotiations on a joint fisheries management scheme covering the South China Sea.⁶² A trilateral PRC-Vietnam-Philippines management and exploitation scheme for Scarborough Shoal could provide a low-hanging fruit to help build confidence for a broader scheme covering the Spratly Islands.

An initial step toward multilateral fisheries management could be to convene an expert-level conference on the South China Sea's fisheries—whether through ASEAN itself, an ASEAN-Plus mechanism with dialogue partners such as the United States or EU, or even an ASEAN-minus subgrouping—that seeks to estimate the impact of the area's fish stocks under various future scenarios. This would help identify common interests between the competing claimants, clarify the stakes involved in their competition, and better understand the degree of divergence between different states' current fishing rules—including overlapping unilateral fishing bans that could potentially be combined into a common multilateral fishing offseason.

Further research is needed on moderation, conciliation, and crisis control in maritime disputes. This report and its analysis of the underlying MATS data have focused exclusively on assertive state activity. Policymakers of all interested states should fund research to further investigate the conditions for moderation in state conduct at sea and conciliatory initiatives. As this report has shown, periods of nonassertiveness in the South China Sea are relatively rare. This means a potentially useful line of inquiry could be launched into the causes of, and conditions for, moderation in state policies. Finer-grained data that systematically captures the timing of both diminishment and intensification of assertiveness, as well as compromise initiatives, would help facilitate such an outcome.

A second line of research should investigate innovations in crisis management. In particular, with the increasing prominence of coast guards and maritime militia, it may be necessary to develop regional crisis control protocols for nonmilitary vessels and irregular forces.⁶³ The multilateral agreement on the Code for Unplanned Encounters at Sea that was signed in 2014 by more than twenty countries, including all South China Sea claimants, could serve as a potential model or starting point.

⁶² International Crisis Group, "The Philippines' Dilemma," 23–26.

⁶³ Andrew Chubb, "ASEAN Cooperation in the South China Sea Amid Great Power Rivalry," in *Ocean Governance in the South China Sea*, ed. Ha Anh Tuan (Hanoi: National Political Publishing House, 2020), 100–101; and International Crisis Group, "The Philippines' Dilemma," 31–32.



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