

Journal of Current Southeast Asian Affairs

Blazevic, Jason J. (2012), Navigating the Security Dilemma: China, Vietnam, and the South China Sea, in: *Journal of Current Southeast Asian Affairs*, 31, 4, 79-108.

ISSN: 1868-4882 (online), ISSN: 1868-1034 (print)

The online version of this article can be found at:

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Published by

GIGA German Institute of Global and Area Studies, Institute of Asian Studies and Hamburg University Press.

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Navigating the Security Dilemma: China, Vietnam, and the South China Sea

Jason J. Blazevic

Abstract: Competition and conflict in the South China Sea involves many nations due to its resources and vital sea lanes. However, it is China which increasingly serves as a common denominator of intensifying anxiety for its South China Sea maritime neighbours due to the aggressive scope of its claims to the sea and its islands. Among those states, Vietnam is most affected as it is first in the path of Chinese ambitions – ambitions which authorities fear would give China significant tactical military and economic advantage. For China, there are similar fears over threats to the sea lanes and sea bed resources. Leaders of both states also perceive their diplomatic and martial actions in the sea in historical terms as well. However, enforcement actions taken by either state may lead to a worsening security dilemma in which reactive security strategies could dangerously destabilise relations. This article discusses the motivations and strategies of both states as well as the consequences of such and applies realism, its tenets of defensive and offensive realism, and neoliberalism to examine their security concerns and perceptions. The article further proposes that the most valuable insights can be provided by defensive realism and neoliberalism, which together can encourage security, cooperation and conciliation in order to best promote the improvement of relations.

■ Manuscript received 19 December 2012; accepted 7 March 2013

Keywords: China, Vietnam, sea lanes, oil, energy, realism, defensive realism, neoliberalism

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Introduction

Competition and conflict in the South China Sea involves many nations due to its resources, vital sea lanes and ability to serve as a security barrier. However, it is China which increasingly serves as a “common denominator” of intensifying anxiety for its South China Sea maritime neighbours (Cronin 2009: 2). China is perceived by those states as the most assertive actor due to the “aggressive scope” of its claims in the sea, increasingly belligerent actions and “growing military capacity” (Burgess 2003: 7–8; Lohman 2009: 1). Among those states, Vietnam is most affected as it is first in the path of Chinese ambitions and therefore, its main competitor and rival as evidenced by the majority of China’s disputes in the sea being with Vietnam (Buszynski 2012: 150). For Vietnam, the strict enforcement of China’s geopolitical interests would create a “Chinese lake” thereby giving significant tactical and economic advantage over resources and sea lanes (Rowan 2005: 429). Complications further arise as Vietnam must balance between those claims and China’s position as a major source of finance, investment and trade. For China, not only is there fear over threats to the sea lanes, but also concern over sea bed resource control due to their increasing need for energy (Ciorciari and Weiss 2012: 62–65). Chinese leaders also perceive their diplomatic and martial actions in the sea in legal as well as historical terms. In their view, such actions are a long overdue response to the century of humiliation in which China was disadvantaged and helpless to deter encroachment by malevolent regional and extra-regional states upon its rightful territory (Glaser 2012: 3–4; Kim 1994: 895–896).

The motivations and strategies of both states, as well as the likely consequences of their interactions, can be better comprehended through the lens of realism, its tenets of defensive and offensive realism and the lens of neo-liberalism. The theory of realism facilitates the understanding of the significance of power upon national security and international relations. Through realism, power can be analysed in order to discern motivations behind fears and strategies. Two tenets of realism, known as defensive realism (neorealism) and offensive realism, enable an even more comprehensive understanding of motivations, strategies and consequences. The theories facilitate a more thorough comprehension of the danger of reactive security strategies as such actions may lead to a security dilemma – a destabilising downward spiral in relations caused by reciprocal cycles of action and reaction. The attainment of power for security could hasten the dilemma possibly leading to conflict between China and Vietnam or worse – attacks on contracted foreign vessels or rigs, especially if operated “by an American company” (Glaser 2012: 1–2). However, as advanced by the theory of neo-liberalism, such consequences may be negated through the acceptance of

cooperative institutions and regimes. Essentially, neoliberalism promotes the replacement of realist understanding and thinking and their hostile consequences in international relations. Among these theories, perhaps the most valuable insights can be provided by defensive realism and neoliberalism, which together can encourage a beneficial combination of security, cooperation and conciliation. As such, I utilise defensive realism and neoliberalism to examine the security concerns and perceptions of Chinese and Vietnamese authorities in order to promote the improvement of their relations.

Theory and the South China Sea

Authorities of both China and Vietnam perceive the international system according to the realist approach, essentially an anarchic system characterized by threats of force. Such threats compel nations to selfishly seek and expand power in an endless competition to ensure survival or maximise absolute power (Mearsheimer 2001: 19; Walt 1998: 30; Waltz 1959: 201; Waltz 1979: 89–91). More specifically, states are engaged in what international relations theorist Robert Jervis posits is an “unrelenting struggle for survival, advantage, and often dominance” (Jervis 1999: 45). Success in the international system is attained through deterrence, containment, power alliances, and balance of power politics (Barry 2002: 3–4). Although realism can aid understanding of the international system, the actions of Chinese and Vietnamese authorities can be better comprehended through the theories of defensive and offensive realism. According to defensive realism, a state feeling threatened by a stronger state and or a threat to the status quo will seek self-preservation through ambitious military, economic and diplomatic strategies (*International Relations* 2006: 232–233, 239; Heller 2003: 21–22). As such, defensive-realist states are constantly preoccupied with security and planning for possibilities of conflict – essentially worst-case assumptions of other states (Mearsheimer 2001: 31; Waltz 1993: 46). Accordingly, Chinese authorities maintain their right to the self-preservation of a perceived historical status quo (historic presence) in which China controlled its nearby seas and islands, but which has no international legality (Glaser 2012: 3–4; International Crisis Group 2012: 3). Nevertheless, they believe that China has been “too accommodating in the past,” allowing maritime neighbours to revise the “the status quo” (Ciorciari and Weiss 2012: 63–64). As China has increased in economic, political and military strength, authorities have become more determined to redress “past injuries” and reclaim what was wrongly taken including their perceived position as the dominant power in the South China Sea. Accordingly, Chinese authorities have made comparison to the US Monroe Doctrine in viewing the sea as a security barrier

and natural area of influence (Cronin 2009: 1; International Crisis Group 2012: 4). Authorities perceive threats to the status quo emanating largely from the “invasive activities” of Vietnam – maintaining military forces on over twenty features in the sea with their strongest garrison, equipped with artillery and anti-aircraft guns, at Sin Crowe Island (Ciorciari and Weiss 2012: 61; Valencia, Van Dyke and Ludwig 1997: 31). China also points to Vietnam’s construction of “artificial buildings” on the submerged features Vanguard Reef and Grainger Bank and statements from the Foreign Ministry, which posited that Vietnam had “adequate historical evidence and legal foundations” to claim sovereignty over much of the sea and its islands (Chang 1990: 20–22; Rowan 2005: 425; Trang 2009: 2).

Although Vietnamese authorities are concerned with the sea activities of many of their maritime neighbours, they perceive that most provocative actions threatening self-preservation emanate from China. Similar to their Chinese counterparts, they feel threatened and seek self-preservation against a neighbour perceived to desire a revision of the status quo (*International Relations* 2006: 232–233). While not accepting China’s legal and historical claims, they make similar claims over the sea and many of its islands. However, they fear that their state may be disadvantaged to deter Chinese encroachment and have become preoccupied with security and worst-case assumptions. They point to increased Peoples Liberation Army Navy (PLAN) patrols, periodic seizure of fishing boats and arrests of fishermen and the planting of the national flag at the deepest part of the sea. The PLAN has also installed navigational buoys throughout the sea and erected sovereignty markers on many submerged and non-submerged features (Ciorciari and Weiss 2012: 61; Cohen and Van Dyke 2010: 1; Shambaugh 2005: 27–29). Vietnamese authorities also point to provocative statements by Chinese authorities such as, Senior Colonel Geng Yansheng who posited that China “has indisputable sovereignty of the South China Sea, and China has sufficient historical and legal backing” (United States Department of Defense 2010: 17; Pomfret 2010). The Ministry of Foreign Affairs further stated that China had sovereignty over “adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof” (Beckman 2010: 2).

In international relations, misperception is a constant as the acquirement of power for self-preservation can be perceived as engaging in the maximisation of absolute power. According to the offensive-realist approach, states will project power beyond self-preservation into any sphere that could increase or maximise absolute power – essentially power for power’s sake. Specifically, offensive-realist states seek to take advantage of weaker states, largely avoid transparency and cooperation, cloak their inten-

tions and purposely engage in endless threats of force. Such states are more likely to be revisionist oriented and could seek to challenge the status quo (Brooks 1997: 462; Carr 2001: 130; Heller 2003: 20–22; Jervis 1999: 51; Waltz 1989: 441–443). Certainly, there is a perception by Vietnam and China that either state is acting in such a manner, thereby increasing hostility and decreasing security. Security strategies misconstrued as power maximisation lead to one of realism’s most serious crises – the security dilemma, which is an inability to distinguish strategies of survival from those advocating the maximisation of absolute power (*International Relations* 2006: 234; Wendt 1992: 406–407).

It is evident that a state acting from the defensive realist approach or perceived to act from the offensive realist approach can leave other states feeling vulnerable. However, such a danger is not to be dreaded, as it can provide a foundation for neoliberal dialogue and a convergent security approach emphasising regimes and institutions. Neoliberalism promotes security through regimes promoting transparent discourse and diplomacy emanating from and leading to coercion, balancing and accommodation (Copeland 2006: 1–3; Tow 2001: 2–3, 9; Wendt 1992: 395). Regimes are institutions and structures consisting of principles, norms, rules and procedures meant to eradicate anarchy or, at the very least, its more harmful aspects on the path to an eventual communitarian ethos of conciliation, cooperation and peace (Hasenclever, Mayer, and Rittberger 2000: 3; Wendt 1999: 253). Vietnam and China have worked toward such ends as can be seen through their 2004 agreement to share resources and engage in consultation in the Gulf of Tonkin.

The weakness of neoliberalism is its inability to adequately address the deceptive actions of perceived offensive-realist states, which seek absolute power while professing cooperation and peace. Such subterfuge continues and or increases feelings of vulnerability, thereby strengthening the security dilemma’s downward spiral (Copeland 2006: 12; Lafont 2004: 29–31). Accordingly, Chinese authorities point to Vietnam’s construction of “artificial buildings” on the submerged features Vanguard Reef and Grainger Bank. Furthermore, while the China–Vietnam Steering Committee on Cooperation agreed to “begin discussions to formulate the guidelines to solve the sea issues,” Vietnam’s Foreign Ministry posited that Vietnam had “adequate historical evidence and legal foundations” to claim sovereignty over much of the sea and its islands (Chang 1990: 20–22; Rowan 2005: 425; Trang 2009: 2). In 2012, the National Assembly affirmed the claims through the passage of the *Law of the Sea*. Chinese Foreign Ministry spokesperson Hua Chunying stated “that China is deeply concerned about the negative impact of the

implementation of the law” which affirms claims that are “illegal and invalid” (Xinhua News Agency 2013).

Vietnamese authorities similarly posit that China’s actions in the sea negate much of the real and probable success of regimes. They believe China utilises diplomacy and military manoeuvrings, often referred to as a “creeping assertiveness” or “talk and take” strategy which negates China’s long-time pledge of a peaceful rise and harmonious world (Chang 2012: 21; Cheng 2001: 424). Moreover, they believe that such “strategic positioning and bargaining” reduces international backlash while allowing China to “move freely in its own claim,” thereby negating bilateral and multilateral cooperation and negotiation (Livingstone 2006: 152; Swanstrom and Amer 1996: 52–56). For example, negotiations of the China–Vietnam Steering Committee on Cooperation have not deterred Chinese authorities from espousing China’s rights in the sea leading to the perception by Vietnamese authorities that China’s claims are “fundamentally non-negotiable” (China, Vietnam 2003; United States Senate 2009a: 1). Vietnam further points to provocative actions such as, the 2012 creation of Sansha City in the disputed Paracel Islands – complete with a legislature and garrison (Heath 2012).

The integration of defensive realism and neoliberalism can be a solution to the security dilemma as regimes can create shared expectations about appropriate behaviour without harming interests in power for security. For example, states may support institutional norms and principles, while also being motivated to obtain foreign support for selfish intentions. The suspicion and misgivings that Vietnam and China share can be minimised through such engagement, attained through a mixture of power for self-preservation, confidence-building measures, transparency and restraint (Cronin 2012; Hasenclever, Mayer and Rittberger 2000: 3–4). Although negotiations based on such aspects have potential to aid the resolve of many concerns, the persistence of issues needs a continual diplomatic vigilance. Indeed, there have been and still are continuing difficulties, which necessitate attentive cooperation (Nguyen 2005: 26, 33). Relations will be most beneficial when both states show a sincere readiness to continually and constructively engage one other.

Oil, Trade, and Sea Lanes

The South China Sea lies strategically between two major chokepoints – the Strait of Malacca and the Taiwan Strait. Its sea lanes link the Pacific and Indian Oceans as well as Africa and the Middle East with Southeast and East Asia. More than 41,000 ships passed through the South China Sea in 2000, which was double the number that pass through the Suez Canal and

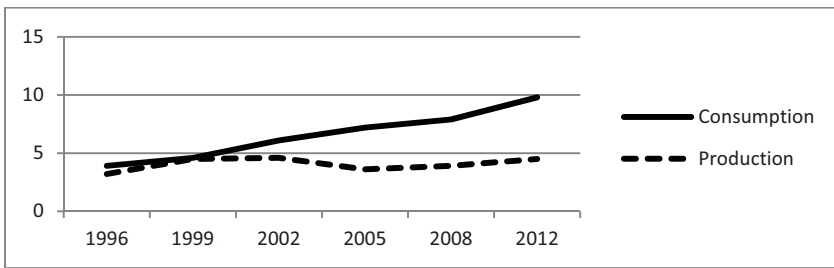
triple for the Panama Canal. In 2009, over 50,000 ships passed through the sea and in 2012 over half of international commercial shipping tonnage and 5.3 trillion USD of trade passed through the sea (Cronin 2012; Glaser 2012: 3; Ji 2001: 2; Rodrique 2009; United States Senate 2009b: 1). Of course, oil encompasses a vitally important part of shipping tonnage. The Strait of Malacca (second busiest after the Strait of Hormuz) is, according to Singaporean Naval Major Victor Huang, witness to 60,000 ships transporting a “third of the world’s trade and half its oil transits” (Kang 2009: 15). J. Peter Burgess posits that the sea is the second busiest international sea-lane with more than half of the world’s petroleum-bearing traffic (Burgess 2003: 7–8). The sea serves as the key economic lifeline for the region as eighty per cent of China’s oil imports and ninety per cent of Japan’s and South Korea’s oil imports were shipped utilizing the sea in 2012 (United States Energy Information Administration 2012a, 2012b, 2012c).

Within the sea are the Pratas Islands and Macclesfield Bank as well as the Paracel and Spratly Archipelagos in the north western and southern ends of the sea respectively. The Paracel Archipelago (Paracels) is over 170 nm from China and Vietnam, although it is nearer Vietnam. The Paracels consist of thirty features (islands, reefs, cays and shoals) encompassing 15,000 square kilometres (skm). The Spratly Archipelago (Spratlys) is over 500 nm from China, while the archipelagos’ eastern edge is 160 nm from Vietnam and the western edge is 50 nm from the Philippines. The Spratlys consist of 750 features encompassing over 410,000 square kilometres and little more than three square kilometres of land space (Chang 1991: 399; Joyner 2002: 17; United States Department of Defense 2010: 17; Valencia, Van Dyke and Ludwig 1997: 226–230). The Paracels, claimed by China and Vietnam, are completely occupied by China while the Spratlys are disputed by China and Vietnam as well as other littoral nations. Nearly fifty of the Spratlys largest features are permanently or periodically occupied by China and Vietnam as well as Taiwan, Philippines, Malaysia and Brunei (United States Department of Defense 2010: 17). The disputes between China and Vietnam involve territorial waters, Exclusive Economic Zones (EEZs) and the continental shelf. China’s claim to over eighty per cent of the sea and the entire Spratly Archipelago (occupying seven in 2011) is enhanced by military installations at features such as Mischief Reef. Vietnam also claims a significant portion of the sea, nearly as much as China, and claims all of the Spratlys, occupying nearly thirty of the features (United States Energy Information Administration 2011a).

The sea holds seven billion barrels (BB) of oil with additional estimates of 28 BB of oil by the United States Energy Information Administration (USEIA) and the United States Geological Survey (USGS) in 2011. In 2011,

China estimated over 100 billion barrels (BB) of oil under the Spratlys and another 100 BB under the rest of the sea with total estimates at 213 BB. Such energy resources are viewed by some Chinese defence planners and energy experts as a “second Persian Gulf,” with the potential to decrease foreign oil dependence (Erickson and Goldstein 2009: 53; United States Energy Information Administration 2011b). China’s increasingly assertive behaviour in the sea is due to rapid economic growth, which is projected to push China towards becoming the largest oil consumer by 2030. China’s oil consumption reached 9.8 million barrels per-day (MBD) in 2012 while production stood at 4.2 MBD (Buszynski 2012: 141).

Figure 1: China’s Consumption and Production of Oil (MBD)

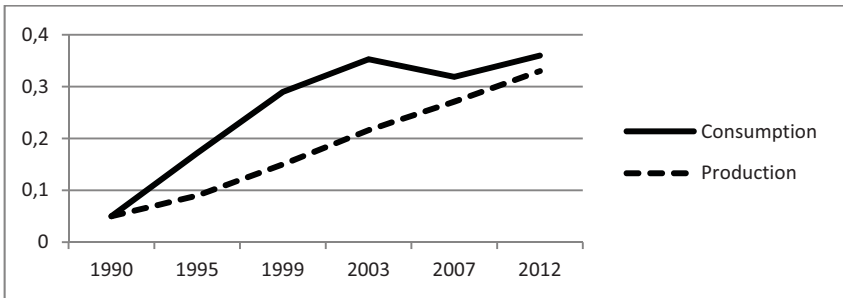


Source: China National Petroleum Corporation 2010; *Early Warning* 2012; Evans and Downs 2006: 2; Forney 2004: 13; Table 2012.

Vietnam is also experiencing oil import growth, which will become more significant due to the state’s rapid industrialisation. The possibility of large amounts of energy resources in the sea is of great interest as Vietnam’s oil reserves stand at just 4.4 billion barrels. Accordingly, PetroVietnam concluded 60 energy exploration and production contracts with foreign energy firms in the sea in 2010 and 2011 (Buszynski 2012: 141). Vietnam’s oil consumption reached nearly 360,000 TBD (thousand barrels per-day) in 2012 while production reached nearly 330,000 TBD (*Index Mundi* 2012a; United States Energy Information Administration 2012c).

Increasing energy needs have led to overlapping claims to undeveloped blocks off the Vietnamese coast, but within or just beyond Vietnam’s internationally recognised Exclusive Economic Zone (EEZ). For example, the Big Bear block, closer to Vietnam’s EEZ, is claimed by Vietnam, but contested by China (block referred to as Dai Hung) while Wan’ Bei-21, located in the western Spratlys, is claimed by China and contested by Vietnam (referred to as blocks 133, 134 and 135) (*Global Security* 2011; *Vietnam Business* 2010).

Figure 2: Vietnam’s Consumption and Production of Oil (TBD)



Source: *Index Mundi* 2012a, 2012b; United States Energy Information Administration 2012c, 2011c.

Co-development is problematic as both nations view the blocks as lying within their respective maritime zones. Additionally, in 2012, after Vietnam’s passage of the *Law of the Sea*, China National Offshore Oil Company (CNOOC) offered bids for foreign energy firms within Vietnam’s claimed EEZ and continental shelf (Fabi and Chen 2012). The PLAN has also harassed PetroVietnam oil survey vessels searching for deposits outside and within Vietnam’s EEZ. Moreover, Chinese authorities have increasingly warned American and other energy firms such as, Oil and Natural Gas Corp (India), Talisman Energy (Canada) and Exxon-Mobil to cease partnerships with Vietnam in disputed areas or face unstipulated economic consequences (Buszynski 2012: 142–143; Glaser 2012: 1; Kotani 2011).

Vietnam and China perceive each other engaging in the maximisation of absolute power, which must be countered by ambitious strategies. However, such perception may be a misconception as both nations may simply desire survival rather than power for powers sake. For example, China’s increasing dependence on the sea lanes has magnified feelings of vulnerability as the sea lanes can be threatened, thereby harming economic and national security. Leaders believe sea lane and resource security in the South China Sea can be achieved by controlling the continental shelf and archipelagos, which can “serve as safe sanctuaries for basing naval platforms as well as safe passage to the open sea” (Buszynski 2012: 146). This approach is part of a larger strategy calling for self-preservation through domination of the first island chain followed by the extension of national interests into the western Pacific and Indian Ocean. Accordingly, Huang Kunlun of the *Liberation Army Daily* states that China’s security interests have moved into the “vast oceans traversed by Chinese freighters” (*Global Security* 2011; Lam 2009: 3–4). However, such strategy is largely dependent on the reigning in of littoral nations such as Vietnam (*Global Security* 2011).

Defensive realism posits that the objective of states within the international system must be survival. Accordingly, Chinese leaders are engaging a strategy of survival in order to secure “command of the sea” and control “strategic passageways for energy” (United States Department of Defense 2009: 17, 2010: 39). The strategy’s early manifestation was known as *offshore defence*, which evolved to a more current *far sea defence* calling for military modernisation and forward basing to secure the continental shelf, the first island chain and adjacent sea lanes leading to eventual expansion into more distant deep water (Chelala 2009; *Global Security* 2011; Wong 2010). Such aspects are characterised by the PLAN’s Chief Admiral Wu Shengli as a “maritime defense system” consisting of a “two pronged strategy” (Buszynski 2012: 145; Kotani 2011). The strategy calls for first, access denial to the South and East China Seas for foreign naval powers and second, securing access to resources in the Middle East and Africa through gradual power projection into the Strait of Malacca and Indian Ocean (Kotani 2011; O’Brien 2011).

For Vietnam, the sea carries great geostrategic significance. Vietnamese authorities fear that China’s intentions are to enforce its claims by force if necessary, which threatens Vietnam’s claims, freedom of navigation and trade. Specifically, they perceive that China’s strategy is not defensive, but meant to alter the status quo and reorder the balance of power in the immediate region and beyond (Glaser 2012: 1). Indeed, they perceive threats to not only the national security of Vietnam, but regional and global security as well. According to Duc Hung Nguyen of the Southeast Asian Research Foundation

China’s claim in the South China Sea is comparable to a claim by one person to all the oxygen in the air [...] that South East Asia can be dominated and nations that need to traverse through the South China Sea can be choked (Nguyen 2010).

Ultimately, Chinese success in controlling the sea would enable the maximisation of absolute power through the control of sea resources and sea lane traffic as well as the expansion of the PLAN toward strategic chokepoints and oceans (Guruswamy, Mohanty, and Abraham 2008: 172–173).

Neoliberalism in Crisis

Although, there is potential for a decreasing of tension through neoliberalism’s promotion of regimes and institutions, selfish state objectives conflict with neoliberalism. National revisionism has proved most challenging for regimes and institutions to attain meaningful conciliation and cooperation.

For example, both China and Vietnam have formulated their claims according to their own understanding of international law. Although they have submitted maps of their claims to the United Nations, the maps corresponded to their own particular perceptions. Claims are based on occupation, maritime zone delineations and historical jurisdiction (Trang 2009: 2; Yu 2003: 405). The legality of the claims largely emanate from the 1982 United Nations Convention on the Law of the Sea (UNCLOS). However, the ambiguous language of the UNCLOS facilitates overlapping claims as well as tension over the establishment of sustained habitation (effective occupation) on submerged features. Further problems arise as a state claiming a feature is permitted to establish a twelve mile territorial zone as well as a 200 nm EEZ and the continental shelf if it extends past the EEZ. China and Vietnam claim the Paracels and Spratlys as part of their continental shelves. However, such claims are problematic as the shelf, which lies underneath nearly fifty per cent of the sea, does not include the Spratlys (Burgess 2003: 8; Buszynski 2012: 140; United Nations 1983: 3, 58–59; Wong 2010).

China's signing statement to the UNCLOS was particularly complex as it contained many reservations on various tenets of the institution as well as claims to features and waters making "ratification almost meaningless" (Ott 2010: 2). Such reservations included the allowance of historic presence and the limiting and suspension of sea traffic. Leaders posited that waters within a nation's claimed EEZ or shelf are not considered high seas meant for the unimpeded passage of international shipping. They also designated EEZ as Economic Exclusion Zone, rather than Exclusive Economic Zone, which holds no legality (Joyner 2002: 19; Ott 2010: 2; Severino 2010: 38; Trang 2009: 1; United Nations 1983: 42–43). China has strengthened its claims through other means such as the 1958 Declaration of the Territorial Seas (DTS), which referred to the South China Sea as a territorial sea. The DTS included the Paracels, Spratlys and their territorial waters as sovereign territory, thereby requiring foreign military vessels and aircraft seeking passage to attain express permission of the Chinese government. Under the DTS and UNCLOS, military activities are permitted within China's EEZ, but due regard or rather, prior notification, must be given and activities must be shown and activities must not involve war preparations (Carr 1983: 36; Severino 2010: 38). In 1987, a PLAN survey claimed several reefs in the Spratlys followed by the placement of the Paracels and Spratlys within the jurisdiction of the Province of Hainan in 1988. Claims were further strengthened through the 1992 Law on the Territorial Waters and Contiguous Areas of the People's Republic of China (LTWCA). The law not only claimed the Spratlys, Paracels and their waters, but authorised the eviction of trespassers

by force if necessary and called for foreign military vessels and aircraft seeking passage to attain China's permission (Chen 1994: 893; National Peoples Congress 1998: 1–2; Severino 2010: 38–39; Tonnesson 2003: 61). In 1996, China signed the institution, the Geneva Conference on the Law of the Sea (GCLOS), with reservations – claiming most of the sea in its maritime zones followed by the 1998 creation of baselines around the Spratlys as set out in the LTWCA (National Peoples Congress 1998: 1–4; United States Senate 2009a: 2). As of 2012, official government maps continued to lay claim to “eighty percent of the sea” (MacLeod 2012: 6A).

Vietnamese authorities began to perceive China as an increasingly powerful state seeking absolute power, thereby threatening Vietnam's self-preservation. They pointed to an exponential increase of UNCLOS violations as well as aggression in their perceived EEZ from the late-1980s into the 1990s. The VPN (Vietnam Peoples Navy) and the PLAN clashed at Union Reef in 1987 and Johnson South Reef in 1988 (Chang 1990: 20–22; Severino 2010: 38). The PLAN also constructed an artificial island and buildings consisting of an observation station, helipad, pier and supply base at Johnson South Reef and later occupied disputed DeLuca Reef and seized twenty Vietnamese cargo vessels in 1991 (Burgess 2003: 8; Livingstone 2006: 149; Rowan 2005: 425). Tension continued to increase toward the mid-1990s due to Chinese energy exploration and drilling in disputed territory in the Gulf of Tonkin and continuing arrests of fishermen well within Vietnam's EEZ (Ott 2010: 2). Increasing fear of Chinese threats of force led Vietnamese leaders to look toward regimes and institutions promoting confidence building and transparency to lessen tension. Dialogue was directed by regimes such as the Association of Southeast Asian Nations (ASEAN), which sought “multilateral risk-reduction and confidence-building measures” (Glaser 2012: 4). Such measures were achieved through institutions such as the 1992 Declaration on the South China Sea (DOC), which sought to commence and or strengthen acceptance of norms, principles and procedures enabling cooperation and peace. The DOC committed all signing governments to “the possibility of cooperation in the South China Sea relating to the safety of maritime navigation and communication” (Association of Southeast Asian Nations 1992). The DOC further called for “respect for and commitment to the freedom of navigation in and over flight above the South China Sea, as provided for by the universally recognized principles of international law” (United States Senate 2009b: 3). The DOC was based on the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC), which called for “regional peace and stability through abiding respect for justice and the rule of law” and for disputes to be “regulated by rational, effective

and sufficiently flexible procedures” overseen by a high council – although it has not been used (Association of Southeast Asian Nations 2005: 3).

The DOC continued the neoliberal *modus operandi* of ASEAN, known as the ASEAN Way. The ASEAN Way promoted the communitarian principles of conciliation and cooperation towards norms, rules and procedures to resolve crises. However, the ASEAN Way also led to non-binding institutions with little or no obligations and constraints. For example, the weakness of the TAC and the DOC was their lack of enforcement, just as with the 2002 ASEAN–China Declaration on the Conduct of Parties in the South China Sea (DOCP). That institution called for dialogue, consultations and confidence building measures, but lacked a code of conduct, which is still under negotiation (Beckman 2012: 9; Swanstrom and Amer 1996: 52–54). Such deficiency led Vietnamese leaders to increasingly perceive institutional diplomacy as a meaningless “papering over” of outstanding issues as China continued to construct military facilities at features such as Woody Island of the Paracels and at Johnson Reef of the Spratlys (Katzman 2005; Lohman 2009: 1; Rowan 2005: 425). Such perception compelled Vietnamese leaders to formulate an ambitious strategy involving diplomatic relations with the US in order to utilise American presence to strengthen institutions. Leaders also began attempting to step up “military links with the United States,” although such links are largely superficial and symbolic (Chen 2011: 2; Kurlantzick 2007: 71; Macleod 2012: 6A).

In 1994, the US ended its trade embargo of Vietnam as both states sought the normalisation of diplomatic relations (Kurlantzick 2007: 71). Relations commenced with the opening of the US Defense Attaché Office in Hanoi in 1995 while ambassadors were exchanged in 1996 (Department of Defense 1998: 39; Martin 2009: 5; The Asia Foundation 2003: 6). In 2000, US President Bill Clinton became the first President to visit Vietnam since Richard Nixon visited South Vietnam in 1969. In 2001, a Bilateral Trade Agreement (BTA) hastened conditional Normal Trade Relations (NTR), which became permanent in 2006, deepening cooperation in transnational issues such as terrorism (Katzman 2005; Manyin 2005: 4; Martin 2009: 5; The Asia Foundation 2003: 6). Official US policy entailed neutrality with no opposition to claims concerning territorial waters or maritime zones that do not derive from a land territory (United States Senate 2009b: 4). Accordingly, former Deputy Assistant Secretary for Southeast Asia and Ambassador to ASEAN Scot Marciel posited that the US does disapprove of claims which are “not consistent with international law, as reflected in the Law of the Sea Convention” (United States Senate 2009b: 4). Former Prime Minister Phan Van Khai’s 2005 visit to Washington led to a 2006 agreement to “share

intelligence on terrorism, drugs, and other transnational threats” as well as an agreement to host US naval vessels (Li 2010).

The Search for Security

Both China and Vietnam have worked to lower risks associated with the “unintended escalation of disputes” (Glaser 2012: 4). They have sought to reassure and increase dialogue with each other and third parties espousing coercion, balancing and accommodation – tenets of both neoliberalism and defensive realism (Christensen 2002: 8; Samuels 2009: 21). For example, there has and continues to be discussion among the littoral states to collectively manage the sea though the establishment of regional sovereignty. However, helpful regimes and institutions have not led to a successful critically inclusive agreement to internationalise the sea (Glaser 2012: 4; Ji 2001: 1–4; Valencia, Van Dyke, and Ludwig 1997: 5–6). Deterrence policies related to defensive realism largely hold sway over the sea – policies threatening to commence or worsen a security dilemma. Such policies entail little negotiation as seen in China’s *Two-Nos*-policy, which calls for no multilateral negotiations and no internationalisation thereby preventing US, UN and ASEAN directed diplomacy (Beckman 2012: 3). Chinese authorities insist sea issues are regional problems and prefer bilateral negotiations and institutions, which can enable a comparatively advantageous outcome for the stronger nation (Duong 2010; Zou 2005: 13–14; Tonnesson 2003: 59). There have been agreements such as the Agreement on the Delimitation of the Territorial Seas, Exclusive Economic Zones and Continental Shelves in the Beibu Gulf and the Agreement on Fishery Cooperation in the Beibu Gulf (Tonkin) in 2004. However, success has been problematic as Vietnam finds itself facing economic and military threats over resource claims in its own territory while Chinese energy firms have contracted with European and American energy firms to co-develop resources in the same territory (Zou 2005: 14; Nguyen 2005: 26, 33).

Vietnamese authorities posit that China prefers bilateral negotiation as a method for eventual submission. Huy Duong and Tinh Le, writing in *Asia Sentinel*, believe the objectives of such strategy is to “de-internationalise an international sea” in order to “bring its strength to bear on the Southeast Asian countries” (Duong and Le 2010). However, such assertive behaviour has strengthened strategic cooperation between Vietnam and littoral states, regimes and outside powers (Kotani 2011). Nonetheless, China continues to obstruct sea issues brought to the attention of the UN, ASEAN and the Asian Regional Forum (ARF). China utilises its position on the UN Security Council to obstruct sea issues while simultaneously engaging in significant

economic inducements of UN members leading to a “please the hegemon attitude” (Chen 1994: 897, 900–902). China also continues to interpret the DOCP and the TAC according to its own definitions. Former Deputy Foreign Minister Wang Yi explained that the DOCP was not “designed to resolve territorial disputes but disputes could be gradually resolved through bilateral negotiations in the future” (Tonnesson 2002: 56). China’s increasing economic clout has also aided its sea objectives as seen through the 2004 ASEAN–China Free Trade Area (official in 2010), which has given China increasingly greater economic influence in the region. In 2010, China’s imports from ASEAN grew 45 per cent to 154 billion USD while bilateral trade reached over 300 billion USD in 2011 (Vaughn and Morrison 2006: Summary, 16–17; Xinhua News Agency 2011).

China’s assertiveness has led an increasing fear among ASEAN members of a Chinese controlled “East Asia Co-Prosperty Sphere” over the South China Sea. Accordingly, ASEAN sought deterrence through an ambitious strategy of balancing and coercion chiefly seen through a more pronounced US involvement (*Agence France-Presse* 2010; Chachavalpongpan 2010: 1; Kurlantzick 2007: 74; United States Senate 2009a: 2). In 2008, the US appointed an Ambassador to ASEAN – former Deputy Assistant Secretary for Southeast Asia Scott Marciel, which ASEAN Secretary General Surin Pitsuwan stated was a “clear and significant gesture of the USA towards ASEAN” (Association of Southeast Asian Nations 2008). Marciel posited that the interest of the US was “in maintaining stability, freedom of navigation, and the right to lawful commercial activity” (Thayer 2009: 2). Similarly, Robert Beckman of the Trilateral Commission stated that the US

opposes the use of force or threat of force to advance the claims of any party [and] has a national interest in freedom of navigation, in open access to Asia’s maritime commons and respect for international law in the South China Sea (Beckman 2010: 6–7).

US resolve was quickly challenged as the US Navy survey vessel *Impeccable* was harassed by five PLAN vessels 65 nm from the Chinese coast. The US explained that the vessel was operating in international waters while China posited that the vessel was within their EEZ and therefore had the right to refuse passage (Valencia 2009a: 22, 2009b). Foreign Ministry spokesman Ma Zhaoxu stated that the US must end such activities without prior notification and due regard. Furthermore, Chinese authorities claimed that many US military activities are actually commercially related sonar surveys, which negatively affects sea life. They also posited that the UNCLOS does not contain the term international waters but does utilise the following terms – internal waters, territorial waters, EEZ and high seas (Lee 2009; Valencia 2009a: 23). Meng Wei of the *Beijing Review* explained,

According to the UN Convention on the Law of the Sea, foreign ships, including warships, have the freedom to sail in the exclusive economic zones of sovereign states. However, while enjoying this right, they should take the countries' interests, especially security interests, into consideration (Wei 2009).

In 2010, the US offered to facilitate a resolution at the 17th ARF meeting leading to a joint communiqué between the US and ASEAN to work for regional peace, stability, unimpeded commerce, freedom of navigation and the peaceful settlement of disputes (Chang 2012: 22). Of the communiqué, Vietnamese President Nguyen Minh Triet posited that ASEAN–US relations were important “to the security, peace and development in the region” while Secretary of State Hillary Clinton explained that it was in the national interest of the US that freedom of navigation be maintained (Klug 2010; Pomfret 2010). Furthermore, Walter Lohman, Director of the Heritage Foundation’s Asian Studies Center, posited that the communiqué was based on a convergence of “the idea that the Chinese claims are just absurd” (Jones and Torode 2010). However, such actions did not deter China from pressuring ASEAN members at the Hanoi summit to not discuss sea issues while the PLAN simultaneously staged military exercises in the sea. In addition, paramilitary agencies such as, China Marine Surveillance and Fishery Enforcement, arrested significant numbers of Vietnamese fisherman due to a unilateral fishing ban passed some years before on 128,000 square kilometers of the sea (Chang 2012: 21–22). The summit was followed by Vietnam’s opening of Cam Ranh Bay “to provide services to the naval ships from all countries including submarines when they need our service [Prime Minister Nguyen Tan Dung]” (Wordpress 2010b). In 2010, US Navy aircraft carrier George Washington travelled along the coastline receiving visits from Vietnamese military officials while in 2011 the Military Sealift Command dry cargo ship Richard E. Byrd became the first US naval vessel to visit Cam Ranh Bay (Buszynski 2012: 149; Public Affairs 2011: 1; Thayer 2010). In 2011, both states penned an agreement calling for health and research collaboration in military medicine. Later that year Clinton, attending the Asia Pacific Economic Cooperation Summit (APEC) in Washington D.C., explained that “the security and prosperity of the Asia–Pacific region is critical to the security and prosperity of the United States and the rest of the world” (Buszynski 2012: 149; *Channel News Asia* 2010).

Although there has been and is beneficial neoliberal regime and institution building between Vietnam, ASEAN and the US, China has not been wholly against attempts to deter such cooperation. For example, after being granted a dialogue partnership by ASEAN, China motioned to leave out discussion of sea issues at the 2012 Phnom Penh summit (*China Briefing*

2012). Naval incidents also continued to occur in the sea in 2011 such as the cutting of the cables of Vietnamese oil exploration vessels by Chinese fishing vessels in what Vietnamese authorities called a “premeditated and carefully calculated attack” within their claimed EEZ (Ciorciari and Weiss 2012: 61). In March 2012, over 20 Vietnamese fishermen in the Paracels were arrested and detained for 49 days while another fishing vessel captain was arrested and physically abused. However, China’s Foreign Ministry explained that the vessels operated illegally in Chinese territory (*China Briefing* 2011; Ciorciari and Weiss 2012: 61; Wadhwaney 2012).

Security and Cooperation

It would be prudent for China and Vietnam to consider the words of Deng Xiaoping who stated that it would be wise to “set aside disputes and jointly develop the resources” (Beckman 2012: 3). Ultimately, it should be in China and Vietnam’s interest to engage in the most beneficial aspects of defensive realism and neoliberalism – aspects such as, cooperation and attention to uncertainty (Hasenclever, Mayer, and Rittberger 2000: 3–4). The coercive rules and norms of regimes and institutions have continued and still continue to aid relations between Vietnam and China as well as other littoral states and outside powers. It is evident that for the present time third party involvement seems to be a prerequisite for the somewhat varied success of neoliberalism as defensive realist alliances have been and are affecting regime and institutional involvement positively. In 2009, Defense Secretary Robert Gates and Vietnamese General Phung Quang Thanh penned an agreement “to enhance military to military engagement” while President Barack Obama stated in 2010, “we’ve strengthened old alliances; we’ve deepened new partnerships, as we are doing with China; and we’ve re-engaged with regional organizations, including ASEAN” (Jones and Geinger 2009; Torode 2010).

For Vietnam, the presence of third parties, such as the US, can beneficially enhance bilateral negotiations as well as lead to improved multilateralism and mediation. Negotiations can work to devise cooperative arrangements for open sea lanes and exploration and exploitation of resources in the South China Sea while shelving concerns that involve perceived territorial sovereignty. There have already been successful negotiations, but such joint arrangements depend on a greater improvement in bilateral and multilateral relations. Although such actions may not be a wholly viable current objective, cooperation in the de-mining and disposing of unexploded ordnance in their frontier area as well as counter-piracy, humanitarian assistance and disaster relief has and will hopefully lead to increased cooperation (Gla-

ser 2012: 5; Ji 2009: 17). As stated previously, Vietnam and China agreed to consult each other on issues in the Beibu Gulf. Specifically, both states signed the Agreement on the Demarcation of Waters, Exclusive Economic Zones and the Continental Shelves in the Gulf of Tonkin and the Agreement on Fishing Cooperation in the Gulf of Tonkin. Both states also issued a Joint Statement for Comprehensive Cooperation in the New Century setting up a long-term framework for bilateral cooperation. Furthermore, both states established a Joint Commission for Economic and Trade Cooperation to work together on economic relations. They also increased ministry level exchanges such as Chinese Defense Minister Cao Gangchuan's visit to Hanoi in 2006 and his Vietnamese counterpart Phung Quang Thanh's visit to Beijing in 2007 (Thayer 2008: 3–4). In 2011, China and Vietnam penned perhaps their most important bilateral agreement to date – a six-point agreement based on the 1992 DOC, guiding territorial and border issue settlement in order to make the South China Sea a sea of peace, friendship and cooperation (China Vietnam Sign 2011). Accordingly, negotiations and cooperation, based on the DOC, resumed in 2012 between China and ASEAN while a hotline was established between Hanoi and Beijing (Glaser 2012: 4–6).

The increasing involvement of third parties and institutions has seemed to moderate China's stance leading to more reliance or at least deference to conciliation and cooperation. For example, China's Ministry of Foreign Affairs is creating a uniform sea policy by coordinating the enforcement duties of 11 agencies operating in the sea (*The Economist* 2012a: 50). A uniform policy could limit dangerous actions due to provincial policies such as Hainan Province's policy allowing "maritime police to board foreign vessels" in its claimed waters (*The Economist* 2012b: 46). Additionally, a recent White Paper called for China to be a "good neighbor, friend and partner of other Asian countries," which was followed by the awarding of economic assistance to Vietnam during General Secretary Nguyen Phu Trong's visit to Beijing in 2011. In 2012, China's General Secretary Xi Jinping's returned Nguyen's visit by visiting Hanoi while Premier Wen Jiabao explained to the National Peoples Congress that relations with neighbouring states were prioritised above all other relationships (International Crisis Group 2012: 35–36).

Looking Ahead

The outlook for successful relations could continue to be positive, but will require careful use of defensive realism and neoliberalism through comprehensive risk assessment of military and non-military actions best achieved

through security, mediation and concessions. Both states can coexist and prosper through the acknowledgement and utilisation of regimes and institutions shared expectations while giving attention to power warranted by uncertainty. Such aspects could make the increasing power and deployments of both states more acceptable while also leading to an eventual decrease of the same (Buszynski 2012: 152; Glaser 2012: 7; Hasenclever, Mayer, and Rittberger 2000: 3–4). The role of ASEAN should not be reduced, but increased along with a cautious utilisation of the US. It is certain that relations based on coercive bargaining and protecting core interests can improve peace and prosperity. Such improvement can lead authorities of both states away from the worst-case assumptions of the security dilemma and toward conciliation and cooperation (Christensen 2002: 8). Improvement can affirm China's revival and Vietnam's more recent entrance into the modern world as nations of cooperation and peace, thereby avoiding a regional and possibly much larger disaster (*The Economist* 2012b: 46).

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