

# Prelude to War in the Pacific

by William Jones

April 30—President Obama’s provocative policy in the Pacific is leading to a conflict between nuclear powers, and can have no other result if the policy is not quickly reversed. These provocations have gone so far as sailing destroyers straight into waters legitimately claimed as territorial waters by the People’s Republic of China, in alleged “freedom of navigation” patrols, and attempts to line up local “allies” to join in. While the naval deployments are accompanied by all sorts of high-falutin’ moralizing rhetoric from the U.S. government, in reality they have less justification than the European gunboats on the Yangtze in the 19th Century.

In response to Chinese attempts to assert their legitimate claims to the Nansha (Spratly) and the Xisha (Paracel) Islands, the United States has organized joint sorties with its “ally,” the Philippines, to patrol the seas right up to the 12-mile limit off the shore of the Chinese mainland. Obama refers to a supposed threat to “freedom of navigation,” but China has never threatened or contested that freedom in the South China Sea,—where the overwhelming majority of all navigation is to and from China itself.

## Freedom of Navigation or Gunboat Diplomacy?

Freedom of navigation in non-territorial waters has long been a staple of maritime law, from Hugo Grotius’ classic *Law of the Seas* to the more recent UN Law of the Sea Convention (UNCLOS). When the UNCLOS Treaty

was promulgated in 1982, the United States did not sign it, ostensibly because of the limitations the treaty would place on its offshore drilling operations.

In reality, the United States had already, during the Carter Administration, pre-empted joining such a treaty by elaborating what it called its Freedom of Navigation Policy, which in effect guaranteed the right of U.S. naval vessels to sail freely anywhere in the world that was not considered sovereign territory (that is, within 12 miles of any country’s land borders). This included freely sailing within any country’s Exclusive Economic Zone (EEZ, defined by the UNCLOS as a region within 200 miles of a country’s land border). While the UNCLOS also allows “innocent passage” within the EEZ for mili-



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*Obama’s provocative policy challenging China’s legitimate claims to the Spratly and Paracel Islands includes patrolling, jointly with its “ally” the Philippines, right up to the 12-mile limit off the shore of the Chinese mainland.*



U.S. Airforce/Senior Master Sgt. Adrian Cadiz

*The United States' unilateral Freedom of Navigation Policy allows the U.S. Navy to sail whenever and wherever it wants. These types of military maneuvers have been ratcheted up to the highest level ever by Obama. Above, U.S. Navy sailors, on April 15, are carrying out flight deck operations in the South China Sea on aircraft carrier USS John C. Stennis while Secretary of Defense Ash Carter and Philippine Secretary of National Defense Voltaire Gazmin are on board as observers.*

tary vessels that are not conducting military or reconnaissance operations, the treaty does not prevent a country from requiring notification of such passage.

The U.S. policy effectively allows the U.S. Navy to sail wherever and whenever it wants, unimpeded by the strictures of any treaty. The Freedom of Navigation forays have often been used to warn nations against any restriction on the “innocent passage” of U.S. military vessels, essentially making them a modern form of “gunboat diplomacy,” even though no shots have been fired—at least not yet. But those operations have never before been ratcheted up in the way they are now by the Obama Administration against China in the South China Sea.

### China's Territorial Claims

The Western media, in their typical manner, have depicted China's claims to the Nansha (Spratly) and Xisha (Paracel) Islands as a Chinese “power grab,” although for most of China's history, these claims have never been contested. In the 1970s—with the growth in the importance of the seabeds for offshore drilling and the expansion of the fishing industry with a diminishing fish population—other countries in the region have raised their own claims to the islands, and the Philippines, Vietnam, and Malaysia all began, with the help

of their militaries, to build facilities on some of the islands, which China solemnly protested at the time.

After World War II, the United States fully supported China in reclaiming these islands from Japan. But the Cold War and the peaceful rise of China to become a world power have changed all of that. And recent U.S. actions have effectively sent signals to China that the United States will not accept the Chinese claims and is prepared to go to war to prevent China from asserting them, despite Obama's hollow pretense that the United States is not taking sides with respect to those claims.

As early as the Han Dynasty (206 BC-220 AD), the islands are found in Chinese records, clearly documenting their recognition, and perhaps their discovery, by the Chinese. They were incorporated into the adminis-

trative region of Qiong Zhou during the Tang Dynasty (618-907 AD) and further consolidated into the Chinese Empire during the Yuan Dynasty (1271-1368).

Later, during the Ming and Qing Dynasties (1368-1912), the islands were incorporated into the administration of Wanzhou in Guangdong Province. During this time there were extensive activities by Chinese on the islands, including fishing and planting, and some Chinese even lived on the islands for years. Many Chinese relics and remains have been found there, including the remains of temples. During the Ming and Qing Dynasties, the Nansha (Spratly) and Xisha (Paracel) Islands were incorporated into the defense of the Chinese Empire, with regular patrols, coastal defense, and administration by China's naval forces.

When the Japanese moved into Southeast Asia in World War II, everything changed. The islands were occupied by Japan until the end of the war. After the war, it was clearly recognized by the Allied Powers that the islands were a part of Chinese territory and should be returned to China. Both the war-time Cairo Declaration and the subsequent Potsdam Declaration are explicit in their demand that Japan should give back these occupied islands to China.

In fact, the United States sent warships to the Kuomintang in 1946 to enable the recovery of the



Xinhua News Agency/Xing Guangli

*This Chinese lighthouse on Zhubi Reef began operations in April. It is one of three China has built in the Nanshas (Spratly Islands). China has also set up emergency rescue facilities in the Spratly and Paracel Islands.*

Nansha Islands! And books, periodicals, and maps published in the United States clearly indicated that the Nanshas are part of Chinese territory. While the San Francisco Treaty in 1951 also affirmed that Japan must give up the islands, it did not explicitly state that the territory belongs to China, an argument that is now being used by the Philippines to bolster its own claims. But China was not represented at all at that conference, and had no say in the formulation of the treaty. While the United States wished to invite Taiwan to represent China, Great Britain wanted the People's Republic of China, and the dispute resulted in no Chinese representative being invited.

But even after World War II, none of the present claimants challenged China's sovereignty over the islands. In 1955, the International Civil Aviation Organization, at its conference in Manila, asked Taiwan to improve meteorological observation on the Nansha Islands, with no objection from any of the participants.

Chinese possession of the islands would have a beneficial effect on navigation in the region. Already China has constructed two lighthouses on Huayang Reef in the Nanshas, and emergency rescue facilities have been established on the Nanshas and Xishas. So why is

Obama now so determinedly opposed to the Chinese claims?

Occupation of its coastal islands would definitely be beneficial to Chinese defense capabilities. Even if China did not decide to place military installations there, they would provide a somewhat more advanced perimeter from which to monitor any threats from the region. And given the increased U.S. naval deployments here, such a capability becomes of increasing importance for China.

Remember that the United States in 1872 sent General John Schofield to the then independent kingdom of Hawaii to investigate those islands for the purpose of eventually putting U.S. military facilities on an advanced perimeter in the Pacific. But the Hawaiian Islands are 2,390 miles from the coast of California, while the Nansha Islands are 500 miles from the Chinese coast and the Xisha only 180 miles. And while the United States had no claim to the Hawaiian islands (but would soon annex them in rather murky circumstances), China does have

such a claim, a claim which was once universally recognized.

### **Sabotaging a Resolution of the Conflict**

China is clearly aware of the conflicts that have arisen with its neighbors over its attempt to make good on its claims. It is also concerned to maintain amicable



*In 1872, the United States sent General John Schofield to what was then the independent kingdom of Hawaii to investigate the Islands for purposes of establishing an advanced perimeter in the Pacific, 2,390 miles from the California coast, a far greater distance than that from China to the South China Sea Islands. The Islands were later annexed by the United States, though it had no claim to them.*

relations with its neighbors, including those against whom China fought in the last great war. It is therefore engaged in coming to agreements with the various claimants through a process of bilateral negotiations.

The agreements between the countries of the region, encapsulated in the 2012 Declaration of Conduct signed by the members of ASEAN and the Government of China, therefore call on the parties “to resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force, through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea.”

This declaration committed the parties to resolve their difference through bilateral negotiations. But the Philippines, in its dispute with China on one of the islands, has taken the issue to arbitration, with the blessing of the United States, hoping that the Permanent Court of Arbitration in the Hague will rule in its favor. China, which continues to adhere to the agreement signed in 2012, has clearly said that it is not prepared to accept any judgment stemming from such unilateral action on the part of the Philippines.

If the disputes involved only the countries in the region, they could be resolved amicably. Given the economic strength of China and its clear willingness to use that strength to create a win-win situation for its neighbors—as we have seen in China’s “Belt and Road” Initiative—there is no reason that satisfactory arrangements beneficial to all could not be worked out.

One of the options that has often been put forward would involve joint ventures to exploit the mineral resources of the area. In fact, in 2004 the Philippines and China agreed to joint exploration for oil in the Nansha islands, and the exploration began, only to be sabotaged by a manipulated anti-China uproar in the Philippines. It was discussed again in 2013, only to be rejected by the Philippines under heavy pressure from Washington.

But the U.S. invasions of Chinese waters, and the attempts by the United States to create a mini-NATO to target China using the few allies it has in the region, have made such a solution all but impossible. And unless the war-mongering Barack Obama is soon removed from office for his crimes, and his policy reversed, we may be looking at another war in the Pacific—and the threat of a nuclear tsunami.

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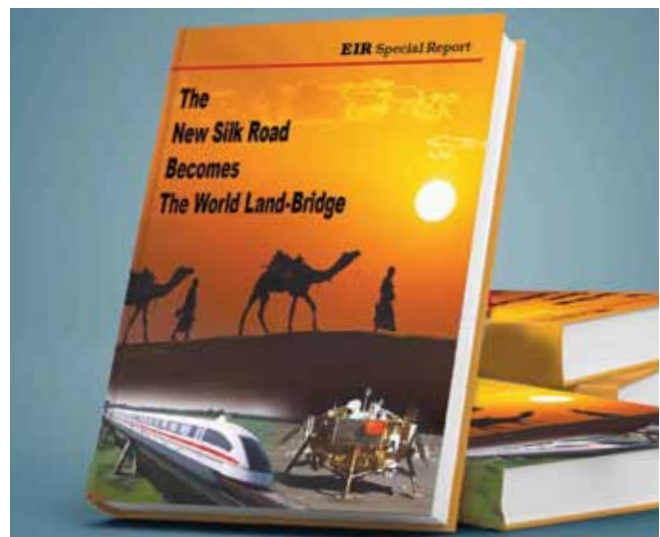
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