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Minilateralism on the South China Sea Dispute: The ASEAN Minus “X” Plus 1 Equation

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Background

The Philippines does not have the gravitas to influence the potential outcome of security challenges arising in the South China Sea (SCS). This is because ASEAN’s internal dynamics prevent it from developing a multilateral response. The question, therefore, is: what are the other options available to the country’s decision-makers to satisfy national security interest while contributing to regional peace and stability? In this paper, we look at variations of a minilateral approach and its potential for success.

The applicability of minilateralism centers on its pragmatic approach to problem-solving; it calls for the participation of a minimal number of states for faster and more flexible decision-making (Niam 2009; Tow 2015; Patrick 2015; Saha et al. 2020). This efficiency is furthered by a narrow “focus on niche areas where shared interests and values can be identified” (Tow 2018, 10), and solutions are disaggregated with less transactional cost (Patrick 2015). Additionally, minilaterals could be viewed as complementing already existing arrangements (Tow 2015; 2018), and at the same time leverage for long-term cooperation (Taylor 2013; Saha et al. 2020).

This policy paper discusses the growing tensions in the SCS, juxtaposed against the strategic competition between the United States and China. Secondly, it outlines three possible configurations for minilateral arrangements, considering their merits for, and impediments against, effective cooperation. The emphasis is placed on the potential role that the Philippines could play in advocating such an initiative.

Growing Tension in Southeast Asia

The diffusion of economic strength and political influence to the rest of the globe has been attributed to structural changes taking place in the international order (Ikenberry 2018). The continuing shifts in regional power in the Indo-Pacific has driven security competition, thus contributing to increased defense spending in the region (Roy 2016; Da Silva et al. 2021). In terms of strategic implications, the most notable alteration in the international environment is waning US hegemony, resulting in the return to an era of strategic competition (Tow 2018; Blinken 2021). China’s rise to global prominence, along with its “assertiveness turn” in foreign policy (Feng and He 2017), is having a significant impact on the security environment. Changes in the relative power

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dynamics of the major powers affect the policy choices and strategies of middle powers like the Philippines and regional institutional groupings such as the Association of Southeast Asian Nations (ASEAN).

What does this power shift mean in the territorial disputes over the South China Sea? What role does ASEAN still play in the region? What are the options available for claimant states such as the Philippines?

These emerging power dynamics are compelling Southeast Asia to reassess its position vis-à-vis the strategic competition between the United States and China. Washington's "hub and spokes" alliance system in East Asia has faltered over the years, creating an opportunity for exploitation by a revanchist China, pushing other middle powers from the Indo-Pacific and Europe to play a more active role, operating independently or within the construct of new security arrangements, such as the QUAD³ or AUKUS.⁴ The convergence of these state actors, despite their diverse interests and geopolitical ambitions, is transforming the SCS into the region's potential flashpoint. Amidst all these developments, ASEAN and its iterations of multilateral agencies (i.e., ARF, ADMM, and ADMM Plus) have fallen short in effectively mitigating the security challenges in the SCS.

A minilateral approach could present a nimbler and more focused alternative among like-minded states. Such an arrangement in the SCS requires the involvement of select states, a common perception over China's posturing in the region, and the willingness to compromise on matters such as conflicting claims in the SCS or other transborder issues. To mitigate the limitations of ASEAN-led multilateralism, the paper advocates the formation of a minilateral arrangement—a smaller number of relevant states agreeing to international cooperation around a limited objective (Naim 2009). The approach is both "disaggregated" and "piecemeal" but allows for compartmentalization, as the task-driven nature of the group calls for setting aside contentious and divisive issues (Patrick 2015; Tow 2015).

Options and Configurations

While the ASEAN succeeded during the Cold War in terms of building norms and serving as a convening platform in Southeast Asia, it is no longer responsive in managing the regional security challenges of the 2020s. The three options presented below are possible minilateral configurations to address the threat from China, each with their pros and cons.

Option 1: ASEAN Minilateral (Malacca Strait Patrol Model)

A minilateral arrangement comprised exclusively of ASEAN member states will be confronted by conditions that will impede coalition-building—its members suffer from internal disputes, residual mistrust stemming from unresolved territorial claims, historical animosity, and transborder issues, among others. Additionally, ASEAN has to contend with its own inertia brought on by an institutional aversion to addressing traditional security issues, thus leaving individual members to pursue their respective national interests.

In terms of defense and security, most of ASEAN states' militaries are still focused on internal security concerns, such as political unrest, insurgency, terrorism, and transnational criminal activities. This is complicated by a lack of interoperability, disparity in capabilities, and differences in interests among its military and relevant civilian agencies. However, it is the limitations in resources that may have the most significant impact when looking at the sustainability of a minilateral arrangement among ASEAN member states only.

As a case in point, the TCA-INDOMALPHI (Trilateral Cooperative Arrangement) was set up by Indonesia, Malaysia, and the Philippines in 2017, and it was patterned after the Malacca Strait Patrol. It was designed to counter terrorism through joint naval and air patrols, information-sharing, and the establishment of coordinating centers. The arrangement succeeded in terms of maritime cooperation, but it did run through

³ The Quadrilateral Security Dialogue, or QUAD, is a strategic security dialogue between Japan, Australia, India and the USA, initially a response to a natural disaster in 2004, the grouping was re-formed in 2017 with a security-oriented outlook.

⁴ AUKUS is a trilateral security arrangement between the USA, Australia, and United Kingdom, established in 2021.

issues of sustainability and resources. Replicating the TCA-INDOMALPHI model in addressing the security challenges would be difficult, given that even ASEAN's centrality is being undermined by China's influence on domestic politics, which has blocked efforts to build a unified position.

As an institution, ASEAN has systemic idiosyncrasies and issues that hinder its ability to respond to regional security issues. On the other hand, most member states are hedging and managing their relations with China. Hence, a minilateral arrangement replicating the TCA-INDOMALPHI, which involves ASEAN member states alone, may not be as effective in mitigating China's aggressive posturing in the SCS.

Option 2: United States-led Minilateral (Lower Mekong Initiative Model)

Arguments have been made for the relevance of minilaterals to the United States' strategy in the Indo-Pacific (Tow 2018, 2019), and they are dependent on the capability of Washington to transform its bilateral alliance system into a "more fluid regional security network" (Tow 2019, 236). The Mekong River riparian states of Cambodia, Laos, Thailand, and Vietnam have formed minilaterals with both China and the United States. The Mekong River Commission (MRC), established in 1995, maintains the People's Republic of China (PRC) as a dialogue partner along with Myanmar. In 2009, the United States established its own institution, the Lower Mekong Initiative (LMI), comprising the same states except the PRC. Both institutions are geared towards cooperation for the sustainable development of the Mekong River. This is an example of major powers having dueling institutions that exclude the other power (Feng and He 2017).

The inclusion of either the United States or China in any minilateral arrangement could result in further adverse reactions to any new form of coalition-building. At the same time, the possible creation of dueling institutions could further increase tensions, as opposed to mitigating any strategic competition. Additionally, other ASEAN member states might be reluctant to participate since it will offset their hedging strategies vis-à-vis the United States and

China. Also, minilateralism aligning with Washington or Beijing presents an unfeasible option, as rival coalitions (Feng and He 2017) could form, further undermining the fragile state of ASEAN unity. A minilateral with both major powers as members would essentially deliver the same results, since internal factions would form, resulting in ASEAN disunity. Some would argue that having both powers would have them balance each other, but productivity would have to be sacrificed in order to meet the strategic interests of both powers.

Unlike the Mekong River, the waters of the SCS are far more crowded with other powers and have a significant impact on global trade. The complicated web of alliances, economic growth, and power relations in the SCS makes the possibility of a mistake turning into an international incident more likely (Taylor 2018). It is therefore more pragmatic to keep both powers outside or at arm length in the formation of new minilateral initiative in the SCS.

From a Philippine perspective, a United States-led minilateral arrangement is logically the easiest to execute. This is given the formal alliance between the two countries and their relationship with the rest of Southeast Asia. However, a significant probability exists that a United States-led minilateral around the SCS could drive further tension in the region. The current strategic dynamic in the SCS and the US and China competition could make other ASEAN member states wary of the participation of the United States or China in any minilateral arrangement.

Option 3: Select ASEAN States Plus 1 Regional Middle Power [(ASEAN – X) + 1] (Five Power Defense Arrangement Model)

The participation of at least one external middle power from the Indo-Pacific region could strengthen the viability of the proposition. A potential external power must have the capacity to resist all forms of Chinese pressure and exhibit an independent foreign policy. The recommendation put forward in this policy paper views the formation of a minilateral arrangement composed of select ASEAN member states (ASEAN Minus "X") and the inclusion of an external power from the Indo-Pacific (plus 1) as the most viable configuration.

While the United States remains the dominant maritime power in the Indo-Pacific, recent experience spotlights situations in which it can be an unreliable fulcrum in a minilateral arrangement.⁵ The Five-Power Defence Arrangements (FPDA) could provide an alternative example of a minilateral arrangement that include the participation of middle powers. When the FPDA was formalized in 1971, the United Kingdom was the dominant power among the other Commonwealth members—Australia, Malaysia, New Zealand, and Singapore. The agreement calls for consultations in case of an armed attack against any of the members, albeit it does not guarantee an outright military response.

To mitigate China's aggressive posture in the SCS under this option, the minilateral construct in mind will involve the collaboration of like-minded ASEAN member states with potential middle powers. To become an effective minilateral, such middle powers need to be regionally situated and clearly invested in a stable Indo-Pacific.

From the Philippine perspective, with Australia and Japan as strategic partners, either middle power could be the nucleus of a quasiminilateral arrangement. Among these powers, Japan is looking at signing a five-year cost-sharing agreement with the United States, as well as cooperating on defense research and development (Associated Press 2022). Likewise, Japan has just signed with Australia a Reciprocal Access Arrangement, which enhances interoperability between their respective militaries (Tan 2022). Presenting the Philippines as the nexus of a minilateral construct not only increases the geostrategic relevance of the country but also presents an access point to engage other like-minded ASEAN member states that share the same security concerns over the SCS. The inclusion of Japan or Australia would bolster the credibility of a new institution. This is further enhanced by both Japan's and Australia's strong military cooperation with the United States military. Australia and Japan are resident middle powers with strong links to Southeast Asia, and both are strategic partners of the Philippines.

On the part of ASEAN, the logical members among the member states aside from the Philippines are Brunei, Indonesia, Malaysia, Singapore, and Vietnam. However, when juxtaposed against vulnerabilities to Chinese influence and pressure, prevailing foreign policy posture towards US and China, legal impediments, and national interest in the SCS, then all six states have their peculiar concerns. Perhaps the key consideration in the acceptability of a minilateral arrangement among the states is the fortitude and agility of each state's political leadership. Even in the Philippines, the situation is problematic, with the possibility of a pro-China successor to President Duterte in this year's national elections.

Japan leading the minilateral arrangement might be the most viable option. Japan could become the fulcrum of the coast guard of ASEAN member states and provide a benign maritime presence in the SCS. This would be the appropriate foil against China's gray-zone tactics, which so far have eluded any tactical or legal solution. Similar to the FPDA, a coast guard arrangement of select ASEAN states and Japan would be consultative in case of an armed attack without an immediate military response. This arrangement should receive less negative pushback from other powers in the region while creating a security architecture that benefits smaller East Asian states.

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⁵ Under Obama's watch the Philippines lost Scarborough Shoal; the four years of Trump left a rudderless "hub and spokes" alliance; and with Biden there is wariness that the US will be distracted by the Ukrainian-Russian conflict in Europe.

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