

Exploring the Role of Key Actors in Influencing ASEAN's Policy Shift in the South China Sea

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Abstract

Since ASEAN's formal involvement in the South China Sea, ASEAN's policy on the South China Sea has undergone a transformation from reaching a minimum consensus to promoting political commitment among all parties to seeking strategic autonomy and the rule of law in the South China Sea. Among them, key actors (such as Indonesia and the United States) play an important role in constructing ASEAN's position on the South China Sea in the process of maintaining and transforming its position. For example, when ASEAN was deeply divided over the South China Sea, Indonesia's foreign minister emphasized the importance of ASEAN solidarity through interaction with other member elites, thus maintaining ASEAN's original consensus on the South China Sea. The US ambassador to ASEAN, on the other hand, utilized ASEAN norms to successfully steer the rotating chair to expand the South China Sea issue under the regional framework. These two cases inspire China to focus on building a favorable position and discourse environment for safeguarding rights in the South China Sea through the diplomatic efforts of key actors, and to play a positive role in maintaining peace and stability in the South China Sea region together with ASEAN.

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1. Introduction

This paper examines the influence of key actors on ASEAN's position on the South China Sea. ASEAN has regarded the South China Sea issue as an important regional issue that affects the centrality of the organization, and its involvement has been deepening. ASEAN is an important factor that cannot be ignored in the development of the South China Sea issue, especially along with the continued escalation of the situation in the South China Sea (Chen & Ma, 2016). Various parties regard ASEAN as an important tool for realizing their own interests and try to continuously strengthen their presence on the South China Sea through ASEAN. Thus, recognizing ASEAN's interest demands, policy trends and influencing factors on the South China Sea issue is of great significance for China and the relevant parties to properly resolve differences in the South China Sea, promote consensus and shape a favorable regional security environment. The question raised here is: How is ASEAN's South China Sea policy constructed? By whom and in what way? What are the specific construction processes? This is also the specific research objective of this paper. This paper adopts a new research perspective, that is, to understand the construction and evolution of ASEAN's position on the South China Sea from the perspectives of "normative diffusion" and the "constructive nature of discourse and practice" emphasized by constructivism, and focuses on the subjective role of key figures. Firstly, it will review relevant studies on ASEAN's South China Sea position from a constructivist perspective. In the second part, it will sort out ASEAN's South China Sea policy according to the timeline. In the third and fourth parts, it will explore the processes of constructing ASEAN's South China Sea policy through the application and interpretation of ASEAN's norms by key states and their political elites by taking into account the Indonesian and US cases. Lastly, it will briefly summarize the whole paper.

2. Literature Review

This paper examines ASEAN's position on the South China Sea issue from a constructivist perspective. Under the constructivist research perspective, scholars focus on the issue of the utility of "ASEAN Norms"¹ in managing South China Sea disputes. On the one hand, it is argued that ASEAN has

played an effective role in the South China Sea issue, and from an identity perspective, it is argued that ASEAN maintains or advances its centrality in regional issues such as the South China Sea through the development of regionalism, which internally fosters ASEAN solidarity and consensus, and externally, by socializing the great powers to subscribe to ASEAN's rules or norms. It is through inclusion and incentives that ASEAN socializes powers dissatisfied with the regional status quo and motivates them to accept the existing regional order and rules (Denny, 2005). For example, ASEAN's involvement in the South China Sea forced China to accept the negotiation of the Code of Conduct in the South China Sea (COC) and conclude the politically binding Declaration on the Conduct of Parties in the South China Sea (DOC) (Le, 2023). Some scholars believe that the ASEAN Conflict Management Mechanism has played a certain positive role, such as prompting China to actively negotiate with ASEAN countries on a code of conduct in the South China Sea (Bama, 2015). It is argued that ASEAN, as a "friendly weak actor", has implemented a strategy of "cautious guidance" to China on the South China Sea issue. With respect to the South China Sea, ASEAN has gradually and cautiously guided China towards acting according to ASEAN's political agenda through maintaining "multi-lateral forums", emphasizing "legal justification" and pushing "codes of conduct" (Nie, 2013). Some studies have elaborated that ASEAN, with the help of (de-) issueization,² continuous communication and practical crisis mechanism, has prompted South China Sea claimants to distinguish the island disputes dominated by sovereignty norms from the construction of the regional security order, buffered the pressure of extra-territorial forces to politicize the norms of freedom of navigation in the South China Sea, and pushed forward the implementation and internalization of the norms of cooperative security in the practice of regional interactions (He, 2021). Scholars have also analyzed the possibility of exporting the internal norms of the ASEAN dispute resolution model to the external sphere, emphasizing that the norms of ASEAN cooperation can change claimant states' perceptions of each other, thereby limiting the impulse to settle disputes by force (Indraswari, 2013). In a series of ASEAN documents, the topic of the South China Sea is repeatedly mentioned, indicating that member states have reached a common position in the face of a common threat, and the South China Sea dispute has been constructed as a priority for ASEAN's security community building (Renaldo & Teguh, 2020).

At the same time, some studies have also raised the limitations of the ASEAN approach or norms in managing disputes in the South China Sea. Institutional structural weaknesses have continuously challenged its utility in the South China Sea. Scholars such as Angela argue that even as ASEAN states insist regional diplomacy and agendas must be driven by ASEAN “norms, mechanisms and processes,” they have been unable to place any constraints on China’s actions (Clare, 2021). While ASEAN has tried to manage the dispute multilaterally through dialogue and consultation, it has not yet been successful in playing a mediating role due to a lack of consensus among its member states (Agus, 2016). ASEAN’s failure to develop effective tools to resolve territorial disputes demonstrates its growing irrelevance, while its principles of consensus and non-interference in internal affairs are ill-suited to the new security realities in the South China Sea region (Heydarian, 2021). In the realm of the South China Sea issue, ASEAN has not succeeded in getting China to accept the concept of multilateralism, and with China’s assertive policy on the South China Sea after its rise, the constructivist advocacy of socializing the great powers through regional cooperation has failed, and ASEAN’s role in the geopolitical competition among the great powers has gradually been weakened. For example, the DOC of Parties in the South China Sea, which ASEAN facilitated, is only a formal statement with no binding force, and the negotiations on the COC in the South China Sea, which ASEAN has been advocating for a long time, have not made substantive progress (Stein, 2003; Lee, 2020; Quang, 2019). Building on this, some scholars have begun to return to a realist perspective, with Graham Allison arguing that the great powers will not recognize the “2016 South China Sea arbitration” unless they believe that particular cases are also in their interests (Allison, 2016). More scholars focus on the uncertainty brought about by great power rivalry, arguing that the intensification of strategic rivalry among great powers in the South China Sea region has caused ASEAN’s tendency to be marginalized, limiting its ability to play a substantive role (Jones & Jenne, 2016). Other scholars have pointed out that, judging from the provocative behaviors that the Philippines has continuously initiated in the field of the South China Sea in recent years, ASEAN norms or rules do not have the ability to bind member states, which is a manifestation of ASEAN’s failure to internalize member states.

In summary, existing constructivism studies mostly start from the perspective of normative socialization, emphasizing the effectiveness and binding force of regional institutional framework and ASEAN's normative management of major powers' behavior in the South China Sea, but relatively ignoring the dynamic process of micro-level actors (such as specific countries and their political elites) reshaping ASEAN regional consensus through discourse strategies and diplomatic practices. In practice, ASEAN is not in a position to initiate strategic adjustments in response to changes in the strategic environment in the same way that sovereign states do, but the process also relies on the driving role of certain states and political elites. Thus, while established constructivist perspectives have emphasized the role of regional norms in managing South China Sea disputes, particularly the behavior of socialized powers, they have neglected to analyze the specific efforts through which key actors have constructed ASEAN's South China Sea positions and policies, which is the new research perspective adopted in this study. This study will take into account the specific cases of Indonesia's foreign minister maintaining ASEAN's South China Sea consensus through shuttle diplomacy in 2012 and the US ambassador to ASEAN guiding Brunei, the ASEAN chair, to broaden the South China Sea issue in the East Asia Summit in 2013, to shed light on the important constructive roles of key actors in maintaining and shifting ASEAN's South China Sea stance.

By key actors, this study refers to countries or political elites that actively exert a role in ASEAN's South China Sea policy and actually influence it in a particular way. Internally, these include states and elites that have led the formation of ASEAN's South China Sea consensus in their interactions with other states (e.g., Indonesia's foreign minister) and claimant states that have attempted to revise ASEAN's position on the South China Sea (e.g., Vietnam and the Philippines). Externally, this includes countries and elites that have used their norms in their interactions with ASEAN to successfully influence its policies (e.g., the US ambassador to ASEAN). In terms of intention, key actors take the initiative to construct ASEAN South China Sea policy; in terms of process, key actors mostly exert influence through interaction with other actors; and in terms of effect, key actors must successfully influence ASEAN South China Sea policy. The following paper will analyze the constructive role of key actors in maintaining and shifting

ASEAN's position on the South China Sea on the basis of ASEAN's South China Sea policy.

3. Evolution of ASEAN's South China Sea Policy

When ASEAN first participated in the South China Sea issue, it collectively established a policy of moderate neutrality based on diplomatic dialogue. With the change of the situation in the South China Sea and the promotion of some claimant countries, ASEAN intensified its involvement and showed bias towards the positions of its member countries. In recent years, when the situation in the South China Sea has continued to heat up, ASEAN is still committed to safeguarding the peace and stability of the South China Sea, and upholding the strategy of the balance of major powers, while emphasizing ASEAN's autonomy and centrality.

Since its inception, ASEAN has been committed to building itself into an "area of peace, freedom and neutrality free from external interference" and advocating the peaceful settlement of conflicts and disputes among nations. In 2003, ASEAN first put forward the goal of a political security community, based on the fundamental principles of non-use of force or threat of force, respect for sovereignty and non-interference in each other's internal affairs, and a comprehensive view of security that emphasizes the promotion of mutual security through cooperation. In the process of establishing and evolving regional security objectives, the ASEAN's objectives in the South China Sea reflect the following basic features: First, the basic objective is to maintain peace and stability in the South China Sea and to prevent all parties from engaging in forceful conflicts or wars over the South China Sea issue. Second, it promotes ASEAN centrality on the South China Sea issue. ASEAN centrality has been promoted in the interaction between the self and the other, so that it has gradually changed from an interested party to a stakeholder in the South China Sea issue. As more actors become involved in the South China Sea, ASEAN's capacity and space to play its role is being tested by internal divisions and expanding strategic tensions among major powers. In this regard, ASEAN has used regional mechanisms to continuously coordinate the positions of its member States, strengthen internal solidarity and enhance its overall influence in order to socialize the actions of major powers in the South China Sea.

After the Cold War, the reality of conflicts in the South China Sea and changes in the strategic environment of the South China Sea region

have prompted ASEAN to pay attention to the South China Sea issue and formally establish a neutral position in a collective manner. First, a minimum consensus was reached on the South China Sea issue. From Indonesia's hosting of the "Seminar on Managing Potential Conflicts in the South China Sea" to the adoption of the ASEAN Declaration on the South China Sea in 1992, ASEAN has formally intervened in the South China Sea issue and openly demonstrated its moderate stance on dealing with the disputes in a peaceful manner. Secondly, it has followed the "ASEAN Way" in dealing with conflicts in the South China Sea. For example, in response to the Mischief (Meiji) Reef incident between China and the Philippines, which occurred twice in the late 20th century, ASEAN adopted "quiet diplomacy". ASEAN avoids confrontation with China or direct condemnation of China in multilateral public forums. However, in bilateral or informal multilateral meetings, ASEAN has begun to pressure China to gradually solidify discussions on the South China Sea. Third, it has increased its influence on China's position in advancing the South China Sea dialogue with ASEAN. It has successfully introduced the South China Sea issue into ASEAN's multiple mechanisms, changing China's past position of accepting only bilateral negotiations on the South China Sea issue; facilitating the signing of the DOC of Parties in the South China Sea by both sides, and initiating negotiations on the COC in the South China Sea.

After 2009, the United Nations Commission on the Limits of the Continental Shelf's (CLCS) regulations on the time limit for submission of continental shelf delimitation applications, the promotion of some ASEAN countries and the intervention of extraterritorial powers have led to increasing tensions in the South China Sea, and ASEAN has stepped up its involvement, and its neutrality policy has begun to show bias. First, it actively promotes consultations with China on the COC in the South China Sea in an attempt to build it into a framework for regulating all parties. In 2013, ASEAN restarted negotiations with China on the COC in the South China Sea through mechanisms such as the Senior Officials Meeting and the Joint Working Group, and reached a framework for a single draft text in 2017, with ASEAN showing greater initiative and proactivity throughout the process. Second, ASEAN has gained multi-layered recognition in the process of promoting consultation among all parties, and has actively built a multilateral dialogue platform on the South China Sea under its leadership in an attempt to play a more important role in the South China Sea issue

and strengthen the binding power on China. On the one hand, ASEAN's position on the South China Sea has gradually favored member states and China-skeptic tendencies from encouraging all parties to build trust through dialogue in the past. From the 2012 ASEAN Six Principles on the South China Sea to the 2014 Foreign Ministers' Joint Statement and the 2015 ASEAN Summit Chairman's Statement, ASEAN has responded to the South China Sea positions of countries such as the Philippines and Vietnam, and has spoken out against China's actions in the South China Sea region. On the other hand, the South China Sea issue has been expanded by bringing in more countries to participate in the discussion of it. In the past, the South China Sea issue was mainly discussed within the region and the ASEAN-China bilateral mechanism, but after 2010, the issue was gradually expanded to multiple regional mechanisms such as the ASEAN+ Leaders' Summit, the ASEAN Regional Forum (ARF), and the East Asia Summit (EAS).

In recent years, as the situation in the South China Sea heats up, ASEAN has continued to adjust its policy on the South China Sea, and while it is committed to maintaining peace and stability in the South China Sea and adhering to the strategy of great-power balance, it has emphasized ASEAN's autonomy and centrality. First, the overall tone of maintaining peace and stability in the South China Sea has not changed; the most representative is to continue to promote the COC in the South China Sea consultations. Since 2017, ASEAN and China have entered a substantive phase of consultations on the COC in the South China Sea, and have achieved a series of drafts, as well as actively exploring other South China Sea cooperation mechanisms. Secondly, ASEAN maintains a balanced strategy in the competition among major powers, drawing in more countries to participate in the South China Sea issue in order to hedge against the risk of imbalance in the competition among major powers. For example, ASEAN has adopted an ambiguous attitude toward the US position on the South China Sea, selectively supporting the US participation in discussions on the South China Sea issue and strengthening its physical presence in the region, while at the same time remaining wary of its military involvement in the South China Sea region. ASEAN's internal position on the South China Sea also reflects more convergence, manifested in the refusal to recognize China's claims to South China Sea rights and interests and the strengthening of legal constraints on China. For example, as of 2023, five ASEAN countries (Malaysia, Myanmar, Singapore, Vietnam, and Indonesia) have expressed active support for the

2016 South China Sea Arbitration (Asia Maritime Transparency Initiative, 2023). Indonesia, the Philippines, Malaysia and other ASEAN countries have successively expressed their refusal to recognize China's "Ten-Dash Line in the South China Sea" and historical claims in the South China Sea. In addition, ASEAN has strengthened maritime cooperation with other countries, including India and Japan, to discuss the South China Sea issue. Third, ASEAN has demonstrated a tendency towards strategic autonomy and the rule of law. On the one hand, ASEAN has begun to cultivate a regional "maritime domain awareness", constantly mentioning the agenda of maritime security and the South China Sea in regional mechanisms, establishing the ASEAN Maritime Forum (AMF) and its Expanded Forum, and holding the first ASEAN joint military exercise without the participation of any extraterritorial country in 2023. ASEAN's maritime security cooperation is gradually showing a tendency of "mini-multilateralism", such as the establishment of the trilateral patrol in the Sulu Sea between Indonesia, Malaysia and the Philippines in 2017. At the same time, ASEAN has increasingly emphasized the fundamental role of international law and rules in the formulation of the Code of Conduct in the South China Sea and the handling of disputes in the South China Sea, and has frequently emphasized in the ASEAN Summit Chairman's Statement and other statements the fundamental role of international law, including the United Nations Convention on the Law of the Sea, in the South China Sea and in the settlement of disputes (ASEAN Secretariat, 2023).

In summary, ASEAN's policy on the South China Sea has demonstrated stability and continuity, but with some notable changes. Based on factors such as security objectives, organizational capacity and changes in the strategic environment in the South China Sea, the basic consensus of ASEAN in the South China Sea has always been to maintain peace and stability in the region and to prevent conflicts from occurring or escalating. Its variability stems from factors such as changes in the situation in the South China Sea, promotion by member states and intentional abetment by extra-territorial countries, which have deepened their involvement in order to expand their influence, especially their ability to influence the major powers, and have continuously sought strategic autonomy in an attempt to form checks and balances among various forces and to increase the legal constraints on China. In the process of ASEAN's position and policy change in the South China Sea, the key figures have played an important

role in constructing their positions through diplomatic efforts, which will be illustrated through specific cases in the following part of this paper.

4. Indonesia Keeps ASEAN's South China Sea Consensus Unbroken

Indonesia has played a leading role in bridging internal differences and promoting consensus in the South China Sea through its good Mediation diplomacy, which has contributed to the continuous construction of ASEAN's identity as an important party in the South China Sea. In the context of intensifying competition among major powers in the South China Sea and increasing internal differences, Indonesia, based on its own considerations of maritime rights and interests and its sense of responsibility as a regional power, has actively promoted the early formation of a consensus on the South China Sea among member states and acted as a mediator and facilitator in case of a conflict. When ASEAN was faced with the controversy of not issuing a joint statement for the first time at the 45th ASEAN Foreign Ministers' Meeting, Indonesia once again assumed the role of a facilitator, driven by the regional power and ASEAN's centrality. Indonesian Foreign Minister Marty Natalegawa's 36-hour emergency shuttle diplomacy to the Philippines, Vietnam, Malaysia, Singapore and Cambodia culminated in the ASEAN Foreign Ministers' Six Principles on the South China Sea, which preserved the consensus position on the South China Sea.

4.1 Adding New Impetus to ASEAN's Handling of the South China Sea Issue

Since the 1990s, Indonesia has been committed to promoting ASEAN's participation in the South China Sea issue and striving to assume a more important role, initiating the "Seminar on Potential Conflicts in the South China Sea" as a start to harmonize the positions of member countries in the South China Sea, and actively promoting the signing of the ASEAN Declaration on the South China Sea by the foreign ministers of member countries. In ASEAN's transformation from a non-directly involved party to an important stakeholder in the South China Sea issue, Indonesia has always played a leading role, actively promoting the early formation of ASEAN's consensus on the South China Sea and acting as a mediator in the event of a conflict. Indonesia has favored a unified ASEAN position on the South China Sea, and Foreign Minister Marty Natalegawa has been a key proponent of the COC in the South China Sea, repeatedly calling on ASEAN to act

together to avoid allowing the South China Sea issue to deviate from its agenda and undermine its centrality. From the beginning of its chairmanship in 2011, Indonesia has regarded the achievement of tangible results in the South China Sea as one of the key elements of ASEAN's future work, with the goal of facilitating the commencement of substantive negotiations between ASEAN and China on the COC in the South China Sea.

Indonesian Foreign Minister Marty Natalegawa has made it clear, "Personally, I am determined to ensure that Indonesia's chairmanship of ASEAN will lead to positive progress on the South China Sea, just as it did on Myanmar. In particular, I hope that ASEAN and China will start substantive negotiations on the 'Code of Conduct in the South China Sea' as advocated in the Declaration on the Conduct of Parties in the South China Sea" (Natalegawa, 2018). And Foreign Minister Marty did put in the diplomatic effort to push for the resumption of the China-ASEAN negotiations after years of not making significant progress by adopting the "Guidelines for the Implementation of the Declaration on the Conduct of Parties in the South China Sea" as a basis for the eventual formulation of a "Code of Conduct in the South China Sea" (Martel, 2022). Marty first raised the issue of negotiating the draft guidelines at the 2011 ASEAN Foreign Ministers' Retreat, and the guidelines were then formally adopted at a meeting of Chinese and ASEAN foreign ministers. In order to create positive momentum for the early launch of negotiations on the COC in the South China Sea (COC), Marty began preparing for the drafting of a "Zero Draft Code of Conduct for the South China Sea Region" after the foreign ministers' meeting (Valencia, 2013). Its content is an introduction to the first draft of the Zero Draft Code of Conduct for the South China Sea proposed by Indonesia in 2012 (Natalegawa, 2018). During the 2012 UN General Assembly, Indonesia circulated the document to ASEAN participants and received support for parts of the draft that would limit China's claim and defense of its rights. The Chairman's Statement of the 18th ASEAN Summit once again mentioned the promotion of the implementation of the guidelines of the Declaration and the launching of consultations on the Code of Conduct in the South China Sea. (ASEAN Secretariat, 2011). Indonesia and its foreign minister are committed to advancing negotiations on the COC in the South China Sea and to constraining China's actions in the South China Sea through ASEAN co-operation, which has led to diplomatic efforts to negotiate the positions of ASEAN countries after the imbalance of the

ASEAN system in 2012, with notable results.

4.2 Bilateral and Multilateral Coordination: Indonesia's "Shuttle Diplomacy"

In an effort to address the negative impact of the 2012 ASEAN Foreign Ministers' meeting, which for the first time did not result in a joint statement, to maintain the ASEAN consensus on the South China Sea, and to avoid further undermining ASEAN unity, Indonesian Foreign Minister Marty Natalegawa undertook proactive remedial work by coordinating both bilaterally and multilaterally with his elite counterparts, which ultimately resulted in ASEAN agreeing to the ASEAN Six Principles on the Settlement of South China Sea Issues. According to Marty's own account, he asked for another informal meeting of ASEAN foreign ministers to discuss the issue in the last hour towards the end of the foreign ministers' meeting (Natalegawa, 2018). However, in the end, no progress was made on the issue, and in order to prevent ASEAN's lack of consensus on the South China Sea from being finalized and to prevent open internal divisions from intensifying, Indonesian Foreign Minister Marty quickly undertook diplomatic efforts to work toward restoring ASEAN unity. Upon his return to Indonesia, he immediately briefed President Susilo on the details of the foreign ministers' meeting and stated that Indonesia could not "watch with folded arms" while ASEAN was openly divided, and that it should regulate relations among its members. Even while recognizing that diplomatic coordination did not guarantee positive results and that the chairmanship could not be relied upon for a formal diplomatic mandate, Marty insisted that "the risk of inaction far outweighed the risk of policy failure" (Natalegawa, 2018).

On 18th July 2012, as directed by President Susilo, Marty chose the Philippines as the first stop in his diplomatic coordination and drafted the "ASEAN Six Principles on the South China Sea" on the plane and held informal talks with the Philippine Foreign Minister. According to the Jakarta Post, Marty flew directly from Manila to Hanoi and met with Vietnamese Foreign Minister Pham Binh Minh, whose proposal was supported by the Philippines and Vietnam (Bagus, 2012). Later, Marty met with Cambodian Foreign Minister Hor Namhong, visited Singapore before returning to Jakarta, and spoke with the foreign ministers of Malaysia and Brunei, refining the draft Six Principles in the process. Marty said that in his meetings or communications with each of his ASEAN counterparts, he emphasized the principle and position of ASEAN solidarity and appealed to

their sense of responsibility for building the future of ASEAN (Natalegawa, 2018). Ultimately, Marty facilitated a consensus among ASEAN countries on his proposed draft on the South China Sea through 36 hours of diplomatic coordination through four countries. On 20th July 2012, Cambodian Foreign Minister Hor Namhong, the Chair-in-Office, held a press conference to formally announce the ASEAN Six Principles on the Settlement of the South China Sea Issues reached by ASEAN.

4.3 Strengthening ASEAN Consensus on the South China Sea

The Six Principles basically continue ASEAN's past position on the South China Sea, and although there are no substantive elements that differentiate them from the past position, their publication is of representative significance. In terms of diplomatic effect, as Indonesian Foreign Minister Marty said, it has gone far beyond resolving the South China Sea issue itself, prevented internal differences from widening, and become an important symbol of ASEAN's restoration of unity and cohesion, as well as helping ASEAN to restore its representativeness in the regional system. This statement has become a consensus document that has been frequently referred to in subsequent ASEAN meetings when discussing the South China Sea issue. Further, the internal endorsement and successful publication of the Six Principles made the Indonesian foreign minister's short-lived diplomatic maneuvering all the more remarkable. On the one hand, it shows that ASEAN's political elites and their personal networks play a key role in pushing for regional consensus or preventing the escalation of conflict. On the other hand, it also demonstrates Indonesia's position and influence as the largest ASEAN country in the region, and that it has played a leading role in ASEAN's consensus-building on the South China Sea.

Indonesia's insistence on diplomatic mediation to restore ASEAN unity is driven both by its position as a regional power and its attempts to downplay internal conflicts in order to continue negotiations with China on a code of conduct in the South China Sea. Indonesia's strong leadership aspirations have led it to play a dominant role in institutional checks and balances, and with the changes in the strategic landscape of East Asia and the tensions in the South China Sea, Indonesia urgently needs to consolidate its dominant position in ASEAN's political and security affairs by leading the institutional checks and balances, pushing for stronger consensus and autonomy at the regional level, and restricting major powers' dominance of

regional affairs at the trans-regional level (Li, 2017). Indonesia has played a leading role in maintaining the ASEAN consensus on the South China Sea through good offices diplomacy that promotes the continuous construction of the identity of ASEAN as an important stakeholder in the South China Sea, and conversely through such efforts Indonesia's position and influence in the region have been strengthened. Indonesia's constructive role in ASEAN's South China Sea policy lies in its ability to bridge differences and promote consensus by facilitating ASEAN rules-based interactions with other member states, even in the event that ASEAN's institutional framework fails. In addition, progress in shuttle diplomacy reaffirms the importance of "informal" norms in ASEAN decision-making or management, where the advancement of ASEAN cooperation or the management of internal conflicts sometimes relies on the efforts of political elites. The interactions of key individuals enhance the region's ability to prevent the occurrence and escalation of conflict, serve as a mechanism for maintaining stability and cohesion, and are an important channel through which ASEAN conducts its regional affairs and manages its external relations. This type of informal, non-publicized diplomacy creates a more inclusive environment for member States to negotiate their positions or mediate conflicts, which is conducive to maintaining the ASEAN consensus on the South China Sea.

5. US' Lobbying to Make the South China Sea a Public Issue

ASEAN wants the United States to play a discreet or low-profile role in the South China Sea disputes, and wants the United States to be involved in regional affairs, but equally does not want it to dominate (Ang, 2019). Out of intentions such as holding back China's physical presence and influence in the South China Sea, ASEAN regards the deep involvement and participation of the United States in the South China Sea issue as an important opportunity. At the same time, however, it is wary of the U.S. military presence in the region, and hopes that the US can counterbalance China through a "soft balance" approach. Under these circumstances, the US has utilized the ASEAN approach of informality, gradualism, and avoidance of sensitivities to influence its South China Sea policy in its participation in ASEAN-led regional mechanisms. Among them, the role of the US in guiding ASEAN to expand the South China Sea issue in the regional architecture cannot be ignored, as the US ambassador to ASEAN in 2013. David L. Carden's eventual persuasion of Brunei to mention the South

China Sea for the first time in the East Asia Summit's presidential statement through meetings with Brunei's political elite, is a good example.

5.1 US Strengthens South China Sea Diplomacy with ASEAN

As ASEAN is becoming an important stakeholder in the South China Sea issue, the US intention to draw in ASEAN as a whole to counter China has become more and more obvious. First, the US has clearly expressed its desire and determination to participate in the South China Sea issue in its dealings with ASEAN, frequently emphasizing its important interests in the South China Sea region. Second, the US insists on opposing China's bilateral negotiation of the South China Sea issue, saying that because ASEAN claimants have a serious asymmetric dependency relationship with China, they are easily held back by China and cannot effectively defend their maritime rights and interests. U.S. Ambassador to the Philippines Harry Thomas has said, "The South China Sea issue must be a collective issue for the entire ASEAN, not just one or two countries" (Pia, 2010). In addition, the US has actively urged ASEAN and China to reach a binding "Code of Conduct in the South China Sea" as soon as possible. The US encourages ASEAN to first develop its own code of conduct for the South China Sea, which should include risk reduction measures and dispute resolution mechanisms, and then work with the US to persuade China to sign and implement the code (Glaser, 2015).

Promoting the multilateralization of the South China Sea issue through regional mechanisms is one of the important ways for the United States to increase its influence on ASEAN's South China Sea policy and to build an encirclement against China. Since Secretary of State Hillary announced at the ARF that the US has important national interests in the South China Sea, the US has frequently promoted discussions on the South China Sea under the ASEAN multilateral framework. The ARF first became a multilateral platform for discussing the South China Sea under US facilitation, and in 2010, Hillary raised the issue of the South China Sea at the ARF and alluded to China's use of strong-arm tactics to coerce other countries. In 2013, Secretary of State John Kerry mentioned the importance of international arbitration in resolving disputes in the South China Sea, making the South China Sea issue a focus of discussion at the Forum. Later, the US pushed for the East Asia Summit to become another multilateral venue for discussing the South China Sea issue. In 2011, the US formally joined the summit by

proposing to include the South China Sea on its agenda; in 2013, the US made clear its intention to support the summit as the region's main body for dealing with political and strategic issues, noting that it should play a leading role in shaping the future of the Asia-Pacific region (Koga, 2022). Under the careful guidance of the US ambassador, the South China Sea issue was formally raised for the first time in the Chairman's Statement of the East Asia Summit, solidified as an important agenda of the mechanism. The following is a brief introduction to the specific process of the US including the South China Sea issue on the agenda of multilateral forums based on the memoir of the US Ambassador to ASEAN.

5.2 The US Ambassador to ASEAN Actively Lobbied the ASEAN Chair

In an effort to further develop relations with ASEAN, allay concerns in the region, and promote presence and influence in the region, the United States became the first non-ASEAN country to post an ambassador to ASEAN. The US Ambassador to ASEAN has made extensive bilateral and multilateral visits to the region, actively participated in ASEAN regional affairs, punctually attended ASEAN-led meetings at all levels, and maintained close contacts with ASEAN officials and national elites. The US has paid particular attention to ASEAN's position and policy changes in the South China Sea, which has become the focus of the US Ambassador to ASEAN's diplomatic efforts. By distorting and criticizing China's rights defense actions in the South China Sea, the US has claimed that China is the main obstacle to the resolution of the South China Sea issue and the "main culprit" for the tense situation in the South China Sea, and has gradually portrayed China as an expansionist in the region. The ambassador continues to deliver such narratives to the region's elites, trying to arouse a sense of resistance among ASEAN countries against China and reshape the self-serving discourse and policy environment in the South China Sea.

Given the chair's function and role in ASEAN's regional mechanisms and the ASEAN norms of gradualism and avoidance of sensitivities, the US ambassador to ASEAN has taken the first step in convincing the chair to focus on non-traditional security issues related to the South China Sea in the hope that they will be mentioned and discussed in ASEAN and its expanded mechanisms, leading to an eventual influence on ASEAN's position on the South China Sea. At the end of 2011, the US ambassador began lobbying Cambodia, the next chair of ASEAN, to agree to raise

the issue of fisheries resources in the ASEAN framework, which would lead to discussions on the South China Sea, by raising concerns about the damaging effects of China's construction of dams on Cambodia's Tonle Sap Lake fisheries. Cambodia refused, and the ambassador turned his lobbying efforts to Brunei, the next chair. The US lobbying effort on Brunei started earlier and was more comprehensively prepared. Ambassador Carden met with Brunei officials several times, firstly explaining to Brunei the possible economic, political and social consequences of the destruction of fishery resources and expressing the hope that Brunei would play a leading role in ensuring regional food security and marine protection; after Brunei did not respond positively, Carden held a meeting with Brunei again, respectively from the perspective of reasons for the decline of fishery resources and the harm it may bring to the coastal economy, the safety of fishermen's personal property, the marine environment, social stability, and even ASEAN's unity, respectively, to demonstrate to Brunei the necessity of including the issue of fishery governance in the South China Sea into the agenda of ASEAN and the East Asia Summit (Carden, 2019). After the US Ambassador had several exchanges with Brunei officials, Brunei indicated that it would consider increasing discussions on fisheries governance and marine conservation during its presidency.

5.3 The South China Sea Issue Was Successfully Embedded in the East Asia Summit's Agenda

Prior to the start of the 2013 East Asia Summit, Brunei stated that in order to promote maritime cooperation among East Asian countries, it proposed that the East Asia Summit enhance food security through sustainable fisheries governance and marine environmental protection, and expressed its commitment to actively cooperate in this regard. Later, the South China Sea issue was formally raised in the draft Chairman's Statement of the East Asia Summit, and after China objected to it, the United States immediately pressured ASEAN to reject the deletion of the South China Sea wording in the Statement. At the instigation of the US, representatives of various countries specifically discussed after the summit whether to retain the South China Sea wording in the chairman's statement, and Ambassador Carden refuted the Chinese viewpoint, "The chairman's statement has never dealt with the South China Sea issue in the past because China has been pressuring the summit chairmen not to mention the South China Sea issue,

and the South China Sea issue was mentioned in the speech of Sultan of Brunei at the opening meeting, and 14 of the 18 leaders also mentioned the South China Sea issue, which should have been reflected in the statement” (Carden, 2019). At a time when Chinese representatives repeatedly rejected the claim, the representatives of the United States, Australia, Japan and New Zealand left the room one after another, with the United States effectively joining forces with partner countries to pressure ASEAN countries such as Brunei to include the South China Sea in the statement. Judging from the final Chairman’s Statement, the South China Sea issue has since been formally established as a fixed topic of the East Asia Summit, and the US has finally realized its purpose of continuously promoting the expansion of the South China Sea issue.

The US ambassador to ASEAN first lobbied the chairmanship to effectively circumvent ASEAN’s resistance to the direct mention of the South China Sea as a sensitive issue by mentioning non-traditional security issues such as food security, personal safety, and social stability related to fishery resources. After arousing resonance, he elaborated these non-traditional security issues as hazards that would trigger regional unrest and undermine ASEAN solidarity, which is precisely what needs to be overcome in ASEAN’s integration. After drawing ASEAN’s attention, he then raised the correlation between regional security in the South China Sea and the above non-traditional security issues, which need to be discussed and measures taken in the broader ASEAN mechanism. Once such issues are discussed under the ASEAN+ framework, it will inevitably lead to discussion and participation of all parties on the South China Sea issue, creating a window for the US to deeply intervene, which is precisely the US’s ultimate goal. Former US Ambassador to ASEAN Scott even said directly that “Washington should identify issues and areas of common interest with ASEAN, such as environmental and fisheries issues in the South China Sea that could create opportunities for us to address geopolitical issues” (Marciel, 2023). Ultimately, as evidenced by the first formal presentation of the South China Sea issue by the chair of the East Asia Summit, the US also interpreted the outcome as a sign that ASEAN was playing a significant role on key issues and that Brunei was showing real leadership (Carden, 2019). The United States has adopted a lobbying approach in line with ASEAN norms, made use of ASEAN’s pursuit of centrality, and achieved remarkable results in guiding ASEAN to promote

the expansion of the South China Sea issue. The United States, through its ambassadors to ASEAN, has been actively engaged in a diplomatic offensive against ASEAN by promoting frequent interaction among the political elite, effectively implement ASEAN norms of avoiding sensitive issues, informality, and gradual progress, leading ASEAN to promote the expansion of the South China Sea issue, and packaged the process as an effort to further unite ASEAN countries represented by the chair on the South China Sea issue.

6. Conclusion

Changes in the power structure and the development of the level of regional institutionalization have not directly caused a change in ASEAN's policy on the South China Sea. The fact is that ASEAN has not been able to take the initiative to adjust its policy in accordance with changes in the geopolitical environment and based on calculations of interests, as sovereign States have been able to do. On the contrary, what really plays a key role are the specific efforts made by certain countries and their political elites to try to influence ASEAN's position based on changes in the strategic environment and considerations of national interests. This paper examines two related cases, namely the "shuttle diplomacy" of Indonesia's foreign minister and the lobbying of ASEAN by the US ambassador to ASEAN, and finds that key actors play an active role in maintaining or accelerating the shift of ASEAN's position on the South China Sea. Specifically, Indonesia has played a key role in maintaining ASEAN's consensus on the South China Sea through its good mediation diplomacy, which has contributed to the construction of ASEAN's identity as an important stakeholder in the South China Sea, in line with ASEAN's pursuit of regional centrality. Without the diplomatic efforts of Indonesia's foreign minister, ASEAN's original consensus position on the South China Sea might have broken down. The US ambassador to ASEAN used informal, step-by-step, and other ASEAN norms to lobby the chair to successfully steer ASEAN toward constructing the South China Sea issue under the expanded regional mechanisms, and recounted the process as an effort by ASEAN to preserve regional unity. Without the US ambassador to ASEAN's lobbying diplomacy with the chair country, Brunei, the process of expanding the South China Sea issue under the ASEAN framework might have been delayed. As such, key actors continue to reshape ASEAN's perception of the South China Sea through bilateral and multilateral interactions with other actors, thus having a

significant impact on the continuation or accelerated transformation of the ASEAN South China Sea Consensus.

This study complements and deepens previous constructivist studies by looking at the specific diplomatic efforts of key figures in attempting to construct ASEAN's South China Sea policy, with particular emphasis on the subjective initiative of key figures. In terms of academic significance, existing constructivist studies have mostly explored the application and dissemination of existing normative rules in the construction and transformation of ASEAN's South China Sea policy, and have not sufficiently examined the subjective initiative of key figures, i.e., there is a lack of research on the specificity of the role of key figures such as elites or leaders in maintaining ASEAN's position on the South China Sea or in pushing for the transformation of ASEAN's South China Sea policy through their specific diplomatic endeavors. This reminds us that in future research on ASEAN's South China Sea position and policy construction, we should not only pay attention to the application and dissemination of ASEAN norms, but also should not neglect the relevant research on the micro level, and the role of key figures in the process of applying and re-interpreting the ASEAN norms in constructing ASEAN's South China Sea policy. In terms of policy significance, the discussion of this issue will also provide more space for China's future South China Sea policy adjustment. First, we should always pay attention to the South China Sea policies of regional powers or ASEAN chairs and the diplomatic work of their political elites towards ASEAN, so as to prevent unfavorable remarks or actions against China's South China Sea rights defense actions, and deconstruct the discourse or policy environment unfavorable to China's South China Sea stance or rights defense actions through the benign interactions among the elites. Secondly, in the process of South China Sea dialogue and consultation with ASEAN, China should pay attention to the diversity and flexibility of policy propaganda and means of implementation, maximize the subjective and active role of elites in order to increase trust and dispel doubts, and build a good image of a great power, so as to further construct a discourse environment conducive to China's right defense in the South China Sea, guide the development of the China-ASEAN relationship in a positive and healthy direction, and actively safeguard regional stability and effectively manage tensions or rights defense actions in the South China Sea together with ASEAN.

Notes

- ¹ The ASEAN Norms are a series of codes of conduct, principles and institutional arrangements that ASEAN has developed over a long period of regional cooperation, reflecting its unique concept of regional governance and diplomatic culture. Their core principles include: Non-interference, Consensus Decision-making, Informality and Flexibility, etc. These norms have not only shaped the pattern of interaction among ASEAN member States and with extra-territorial countries, but have also had a profound impact on regional governance and cooperation in South-East Asia.
- ² He Jiajie pointed out: When faced with challenges from both internal and external sources, ASEAN seeks to use ASEAN norms to influence the behavior of relevant actors in the process by incorporating controversial issues into ASEAN's cooperation framework (i.e., issueization) and adapting to changes in the external environment. If the external environment moves against ASEAN and the network of relationships and interaction processes on the issue increases tensions, it will also remove the issue from ASEAN's cooperation framework in a timely manner to diminish its significance (i.e., de-issueization) and to ensure that it does not become a trigger for disruption of the regional order.

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