Biden administration dismisses China's claim to South China Sea

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On July 11, US Secretary of State Antony Blinken issued a provocative statement dismissing China's claim to the South China Sea. His declaration repeated the positions laid out by his predecessor Mike Pompeo the year before and demonstrated the fundamental continuity between the Trump and Biden administrations in their war drive against China.

Blinken's statement was timed to coincide with the fifth anniversary of the 2016 ruling of the International Tribunal on the Law of the Sea (ITLOS) upholding Manila's claim to portions of the disputed waters.

For several years after the arbitral ruling in The Hague, Washington spoke of how it was "binding to all parties," and attempted to use it to escalate pressure on China. The efforts of the Trump administration in this regard were hampered, however, by the fact that Philippine President Rodrigo Duterte deliberately downplayed the ruling in an attempt to improve diplomatic and economic ties with Beijing.

In 2020, Pompeo sharpened tensions immensely by declaring that China's claims were "completely unlawful," and "the United States rejects any PRC [People's Republic of China] claim to waters beyond a 12-nautical mile territorial sea." It is this position that Blinken explicitly upheld, declaring "The United States reaffirms its July 13, 2020 policy regarding maritime claims in the South China Sea."

Blinken stated, "Nowhere is the rules-based maritime order under greater threat than in the South China Sea." He blamed China, stating that Beijing "continues to coerce and intimidate Southeast Asian coastal states, threatening freedom of navigation in this critical global throughway."

He called on China to "abide by its obligations under international law [and] cease its provocative behavior."

In truth, it is Washington that is destabilizing the region and engaging in provocative behavior. Pompeo and Blinken both insist on "upholding international law," but the United States is not even a signatory to the United Nations Convention on the Law of the Sea (UNCLOS) treaty that they accuse China of violating.

Since the Obama administration, Washington has engaged in a series of deliberate diplomatic and military provocations against China, transforming the South China Sea into a flashpoint for world war. Blinken took another step in that direction, declaring, "We also reaffirm that an armed attack on Philippine armed forces, public vessels, or aircraft in the South China Sea would invoke U.S. mutual defense commitments under Article IV of the 1951 US-Philippines Mutual Defense Treaty."

Article IV of the 1951 Treaty states that both parties recognize "that an armed attack in the Pacific area on either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes." The treaty was designed to trigger steps toward war by both countries in the event that one was attacked.

In the decade since Obama launched his pivot to Asia, there was widespread speculation in the Philippines as to whether or not this language of mutual obligation applied to the waters of the South China Sea, for the treaty spoke only of the "Pacific area" and of "metropolitan territory."

In a press conference in 2019, Pompeo first explicitly articulated the position that an armed attack on a Philippine vessel in the South China Sea would trigger mutual defense obligations of Article 4. Blinken has now made this position a prominent part of his public statements.

Beijing responded to Blinken's claim that it was the provocative party in the region. Chinese foreign ministry spokesperson Zhao Lijian stated that the United States has "conducted close-in reconnaissance for nearly 2,000 times and over 20 large-scale military drills on the sea targeting China. What's more, the US abuses bilateral military agreements that smack of the Cold War to threaten to use force on China… It is self-evident who is seeking coercion and intimidation and threatening freedom and security of navigation."

The day after Blinken's statement was published Washington sent the guided missile destroyer USS Benfold to perform a so-called freedom of navigation operation

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(FONOP) near the Chinese-held Paracel Islands in the South China Sea.

China denounced the maneuver. The spokesperson for the People's Liberation Army Southern Theater Command, Air Force Col. Tian Junli, issued a statement terming the FONOP "another ironclad evidence of the US aggressive navigational hegemony and militarization of the South China Sea."

Blinken's remarks were also a calculated intervention in Philippine politics. All of the political parties and factions of the ruling elite are maneuvering for the upcoming May 2022 presidential election. Washington's overriding concern is to reverse the damage done to its influence in the region by the geopolitical shift carried out by the Duterte administration.

At the end of the term of President Benigno Aquino in 2016, the Philippines, a former colony of the United States, was serving as the leading proxy for Washington's interests in the Southeast Asia region. Manila had just won the arbitral ruling in The Hague, putting forward a case that was drawn up and argued by a US law firm with intimate ties to the Obama administration. The Aquino administration had committed to the terms of the Enhanced Defense Cooperation Agreement (EDCA) which allowed for the unlimited basing of US forces in the country.

Duterte reversed these policies. Looking to secure loans and investment from China, he downplayed the South China Sea ruling, backed out of the most provocative joint war games with the United States, and threatened to end the Visiting Forces Agreement on which EDCA was based.

The fascistic populist Duterte has presided over five years of mass murder, conducted in the name of a war on drugs. The Philippine constitution limits the president to one six-year term in office, and he thus cannot run for re-election. He has recently announced that he intends to run for vice-president, and it is widely speculated that his primary concern is to maintain state immunity from prosecution by the International Criminal Court (ICC), which has prepared a case against him.

The front-runner for president in current polls is his daughter, the mayor of the southern city of Davao, Sarah Duterte. She is cut from the same cloth as her father: brutal, given to police-state and dictatorial measures, but an effective populist. There is every indication that a Sarah Duterte presidency would see a continuation of her father's foreign policy.

The bourgeois opposition to Duterte share a common interest in reorienting Philippine foreign policy back toward the United States. However, they have been unable thus far to unite behind, or even put forward, a viable candidate. The concern is that none of the opposition candidates can rival the appeal of Duterte.

The current head of the opposition Liberal Party, Vice President Leni Robredo, was long seen as the default candidate for the opposition. She has hesitated for months over declaring her candidacy, however, and has taken possible steps to running for governor instead.

The organizing force for a realignment of Philippine relations back to the United States and for an aggressive confrontation with China is the newly formed party 1Sambayan. 1Sambayan was created to select a candidate for the unified opposition and provide them with an anti-China platform. 1Sambayan has received support both from groups that follow the political line of the Stalinist Communist Party of the Philippines and from the far-right Magdalo party.

It is still early in the race and political alignments will shift and new contenders will emerge. At present, however, the leading opponent to Sarah Duterte is Manny Pacquiao, the boxer turned senator. Pacquiao was a close ally of Duterte for several years, supporting his war on drugs and promoting legislation to reintroduce the death penalty by hanging.

Pacquiao recently had a very public falling out with the president, however, and is now seen as a possible presidential candidate for the opposition. 1Sambayan promptly announced that they were prepared to back Pacquiao if he would apply for their support. The only apparent component of appealing to 1Sambayan for support is agreeing to its policy on China.

None of these figures is a defender of democracy or human rights. The dispute between ruling and opposition circles is bound up entirely with geopolitics.

It is this volatile situation that Blinken's provocative statement is attempting to shape. By dismissing China's claim to the South China Sea, and asserting that the United States is bound by treaty to the Philippines in the event of an armed conflict with China, he is attempting to steer the Philippine presidential election back behind the interests of Washington.

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