

Evaluating Japan’s South China Sea Policy: A Qualified Success?

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In an effort to counteract China’s maritime expansionism, Japan has endeavoured to be a prominent player in the South China Sea dispute over the past decade. While previous studies have emphasized the limitations of Japan’s South China Sea policy, one question still remains: to what extent has Japan’s policy been successful? By utilizing Baldwin’s analytical framework for foreign policy evaluation—which takes into account factors such as stakes, effectiveness and costs—this article argues that Japan’s policy has achieved moderate success. Despite its limitations, Japan’s policy has been relatively successful as it helps to maintain America’s military presence in the region, and creates normative and diplomatic obstacles for China’s activities in the South China Sea without damaging Sino-Japanese relations. Additionally, Japan’s policy helps uphold the rules-based order by strengthening the maritime law enforcement capabilities of selected Southeast Asian states. The costs of the policy to Japan are acceptable, particularly given that it has little impact on the waters surrounding the country. Conversely, the policy imposes increased material, normative and time costs on China. Given China’s uncompromising historical and security position in the South China Sea, the qualified success of Japan’s policy should be acknowledged.

Keywords: Japan, South China Sea, foreign policy evaluation, regional cooperation, Indo-Pacific

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Against the backdrop of China's growing maritime expansionism and rising tensions in the South China Sea, Japan has become increasingly involved in the dispute with a view to maintaining the rules-based regional order. Various scholars have highlighted the limitations of Japan's South China Sea policy, which is characterized by its efforts to both advance security cooperation with regional countries and uphold the rule of law at sea.¹ However, one important question remains to be answered: to what extent has Japan's South China Sea policy been successful? One might argue that Tokyo's efforts have been unsuccessful, as Japan has failed to deter China's unilateral efforts to dominate the South China Sea. If that is true, should we evaluate Japan's South China Sea policy as a failure?

To answer this question, this article examines Japan's South China Sea policy over the past decade and argues that the policy has been a qualified success according to David Baldwin's analytical framework for foreign policy evaluation, which identifies stakes, effectiveness and costs as measures of success.² The effectiveness of Japan's policy can be judged by whether the policy meets the following three criteria, which are derived from Japan's stakes in the South China Sea: (1) whether Japan's policy constrains China's attempts to change the status quo; (2) whether the policy helps promote a rules-based order; and (3) the extent to which the policy affects Sino-Japanese relations.

Applying these three criteria, it can be argued that Japan's policy has been relatively effective. First, it facilitates America's military presence in the region, which is necessary to deter China. Second, it seeks to normatively and diplomatically restrict China's activities in the South China Sea, although it clearly falls short of fully restraining China. The policy contributes to upholding the rules-based order in the South China Sea by strengthening selected Southeast Asian states' maritime law enforcement capabilities while avoiding damaging Sino-Japanese relations. The costs that the policy imposes on Japan are limited, as it does not trigger Chinese countermeasures to obstruct Japan's use of sea lanes of communication (SLOCs) in the South China Sea. In addition, the policy does not trigger encroachments by China into the waters surrounding Japan, nor does it generate excessive concerns in Southeast Asia about non-claimants' involvement in the dispute which might otherwise undermine Japan's regional credibility. Instead, the policy imposes costs on China by compelling it to allocate additional material resources and legal efforts to the

South China Sea dispute, buying time for regional countries to implement policies to counter China's expansionism. Given China's uncompromising historical and security positions on the South China Sea, the qualified success of Japan's South China Sea policy should be acknowledged.

My analysis provides insights into the role of middle powers in shaping the rules-based regional order. Amid growing uncertainties about increasing competition between the United States and China, the relevance of middle powers, including Japan, in "guaranteeing" regional stability has become an important topic of discussion.³ In this context, my analysis, which shows that Japan has become an important player in the South China Sea dispute, highlights how Japan's foreign policy as a middle power has enhanced regional stability.

The remainder of the article is organized as follows. The following section provides an overview of how Japan's South China Sea policy has developed over the past decade and reviews previous studies that discuss its limitations. Next, the article applies Baldwin's analytical framework to evaluate the policy and argues that it has achieved a moderate level of success. Finally, the article concludes that despite the policy's limitations, Japan remains a crucial player in challenging China's maritime expansionism in the South China Sea by amplifying the efforts of other countries in the region.

An Overview of Japan's South China Sea Policy

As a user of the South China Sea that places high importance on freedom of navigation, Japan is an important stakeholder in the dispute. The SLOCs that pass through the South China Sea are vital to Japan's energy security, as they connect the country with the Middle East which accounts for about 80 per cent of Japan's crude oil imports.⁴ China's increasing maritime expansionism in the South China Sea interferes with Japan's maritime interests as a user state. Therefore, Japan has developed a South China Sea policy that includes the following three pillars: (1) promoting the peaceful settlement of disputes based on international law; (2) advancing security cooperation with Southeast Asian states; and (3) demonstrating the presence of its Self Defence Forces (SDF) in the South China Sea alongside other maritime powers, particularly its ally, the United States.

Promoting the Peaceful Settlement of Disputes Based on International Law

One of the key elements of Japan's South China Sea policy is promoting the peaceful settlement of disputes based on international law, especially the United Nations Convention on the Law of the Sea (UNCLOS). Japan, along with other regional states, seeks to maintain a rules-based order in the Indo-Pacific region.

In response to China's growing maritime expansionism in the East China Sea and the South China Sea, the late Prime Minister Shinzo Abe delivered a keynote address at the 2014 IISS Shangri-La Dialogue in which he emphasized three important principles of the rule of law at sea: first, "states shall make and clarify their claims based on international law"; second, "states shall not use force or coercion in trying to drive their claims"; and third, "states shall seek to settle disputes by peaceful means".⁵ These principles were also affirmed at the Japan-chaired Group of Seven summit in 2016.⁶

Japan signalled its support for the rule of law at sea by launching the Free and Open Indo-Pacific (FOIP) concept in 2016, when then-Prime Minister Abe announced the vision in an address to the Sixth Tokyo International Conference on African Development.⁷ The following year, the concept was developed further with more specific ideas that highlighted Japan's attempt to ensure "a free and open maritime order" through "the promotion and establishment of fundamental principles such as the rule of law and freedom of navigation" in the Indo-Pacific.⁸ The FOIP concept is expected to be further developed under Prime Minister Fumio Kishida's premiership through the "Free and Open Indo-Pacific Plan for Peace", which was announced in his keynote address at the 2022 IISS Shangri-La Dialogue.⁹

Japan has worked within ASEAN-led security forums such as the ASEAN Regional Forum (ARF) and the East Asia Summit (EAS) to promote its views on the South China Sea. Japan's most recent maritime security strategy, the 2018 *Basic Plan on Ocean Policy*, articulates Japan's intention to use ASEAN-led forums as a venue to advance regional cooperation in strengthening the rules-based maritime order.¹⁰ At these forums, Japan has attempted to foster a shared understanding of the importance of peaceful maritime dispute settlement mechanisms by repeatedly stressing its strong opposition to the lawless activities occurring in the East China Sea and the South China Sea.¹¹ Despite Japan's lukewarm attitude towards the ARF in the early 2000s due to its limited effectiveness,¹² Japan now

gives priority to ARF and EAS meetings in an effort to protect the rules-based maritime order amid rising tensions in the region.¹³

Japan's proactive stance was developed in parallel with efforts by other regional states to establish a rules-based maritime order in the South China Sea. Since 1995, when tensions erupted between China and the Philippines following the former's occupation of Mischief Reef in the Spratly Islands, the United States has emphasized the importance of the principles of international law in the South China Sea, including both UNCLOS and freedom of navigation. In 2010, at the ARF, then-US Secretary of State Hillary Clinton articulated the US position and promoted the further internationalization of the South China Sea dispute.¹⁴ Since 2015, the United States has also conducted frequent Freedom of Navigation Operations (FONOPs) to explicitly challenge China's excessive maritime claims.¹⁵ China's claims were further challenged by the Philippines in a 2013 arbitration process under Annex VII of UNCLOS.

In this context, the most significant aspect of Japan's South China Sea policy is that it adds momentum to existing regional endeavours. The FOIP concept has become a banner for concerted international efforts to establish a rules-based order in the region, with the United State incorporating the concept into its 2017 *National Security Strategy*¹⁶ and 2022 *Indo-Pacific Strategy*.¹⁷ Japan, the United States, Australia and India have also reinforced their commitment to realize the FOIP through the Quadrilateral Security Dialogue (QUAD).¹⁸ In Europe, France, Germany and the European Union (EU) have announced their own vision for a rules-based order in the Indo-Pacific region. Several European countries, including Britain, France and Germany, have deployed naval vessels to the South China Sea to underscore their determination to preserve freedom of navigation and signal their concern about China's behaviour in the maritime domain. In short, the promotion of a peaceful settlement of maritime disputes based on international law is a key pillar of Japan's South China Sea policy. Japan's efforts have served to bolster the attempts of other countries in the region to preserve the rules-based order.

Advancing Security Cooperation with Southeast Asian States

The second pillar of Japan's South China Sea policy is bilateral and multilateral security cooperation with Southeast Asian states. In response to China's maritime expansionism, Japan has recalibrated its Official Development Assistance (ODA) policy in an effort to

mitigate its strategic concerns.¹⁹ Japan has transferred various types of equipment to Southeast Asian states, including 27 patrol vessels, 13 high-speed boats and 11 coastal monitoring radar units.²⁰ This assistance has served to enhance the maritime domain awareness capabilities of the recipient countries, which are necessary to monitor China's presence. Furthermore, Japan has supported the development of these countries' human resources in the field of maritime security, such as the launch of the Mobile Cooperation Team (MCT) by the Japan Coast Guard (JCG) in 2017 to share maritime law enforcement best practices.²¹

Particularly noteworthy is the security cooperation between Japan and the Philippines. Almost half of the 12 patrol vessels and all of the 13 high-speed boats that Japan has transferred to Southeast Asian states were sent to the Philippines.²² In 2017 and 2018, five Beechcraft King Air TC-90 patrol aircraft were also transferred to the Philippine Navy to monitor China's activities in the South China Sea, including Scarborough Shoal.²³ Security cooperation between the two countries is supported by the 2016 Defence Equipment and Technology Transfer Agreement. Japan has since signed similar agreements with Indonesia, Malaysia, Thailand and Vietnam.²⁴ Japan may sign a similar agreement with Singapore in the near future.²⁵ In addition to helping Southeast Asian states enhance their maritime capabilities to monitor China's activities in the South China Sea, strengthening security cooperation with these countries also enables the Japanese Maritime Self Defence Force (JMSDF) to undertake more frequent port calls and increase its presence in the region.

Japan has also advanced ASEAN-wide security cooperation with the "Vientiane Vision" announced at the 2016 ASEAN-Japan Defence Ministers' Informal Meeting. The document, which was updated in 2019, seeks to support ASEAN's efforts to uphold principles of international law, particularly in the maritime domain and air space, by sharing understanding and experience regarding international law and maritime security.²⁶ To this end, Japan has conducted the Japan-ASEAN Ship Rider Cooperation Program since 2017.²⁷

In sum, Japan has actively pursued bilateral and multilateral security cooperation with Southeast Asian states in order to promote the second pillar of its South China Sea policy. This has included providing equipment and resources to enhance the maritime capabilities of the recipient countries and support in the development of human resources, as well as initiatives to promote

a common understanding of international maritime law and advance good seamanship.

Advancing the JMSDF's Presence in the South China Sea

The third and final pillar of Japan's South China Sea policy is to maintain JMSDF's presence in the region. In the last decade, the JMSDF's operational areas have gradually expanded. According to Japan's 2021 defence white paper, in 2020 the JMSDF conducted three bilateral exercises in the South China Sea with the United States, one with Australia and two trilateral training sessions with both countries.²⁸ Additionally, the JMSDF conducted combined exercises in the South China Sea with Indonesia and Singapore and a bilateral exercise with the Philippines.²⁹ Notably, in October 2021, the JMSDF conducted a multilateral exercise in the South China Sea with Canada, the Netherlands, New Zealand, the United Kingdom and the United States.³⁰ The following month, the first US-Japan anti-submarine exercise took place in the South China Sea,³¹ sending a strong signal to China, given the importance Beijing places on its submarine fleet.

Since 2019, the JMSDF has operated under the banner of the Indo-Pacific Deployment (IPD), the purpose of which is to contribute to regional peace and stability and "enhancing mutual understanding and trust among the participating countries".³² Furthermore, Japan's 2015 security legislation allows the JSDF to respond "to an armed attack against a foreign country resulting in threatening Japan's survival" if certain conditions are met.³³ There is a view that this legal foundation gives the government of Japan "wider options on Japan-related security incidents" in the region.³⁴

Overall, Japan's South China Sea policy over the past decade has focused on upholding the rules-based regional order, advancing security cooperation with regional states and increasing Japan's presence in Southeast Asia together with other maritime powers. However, studies have also highlighted the policy's limitations.

Critical Views of Japan's South China Sea Policy

Previous studies have tended to focus on the limitations of Japan's South China Sea policy. For instance, some observers have contended that Japan's involvement in the dispute would be restricted due to distractions caused by Sino-Japanese disputes in the East China Sea and North Korea's nuclear and ballistic missile programmes. A study by Benoit Hardy-Chartrand and J. Berkshire Miller argues

that if Japan adopted a harder stance on the South China Sea, this would prompt “Beijing’s tightening of the screws” in the East China Sea, leading to Japan’s incentive to distance itself from deepening its operational engagement in the South China Sea such as joint FONOPs with the United States Navy.³⁵ Another study, by Kei Koga, highlighted how Japan’s prioritized deployment of defence assets in the East China Sea and the waters near the Korean Peninsula make it difficult for Japan to allocate sufficient resources to the South China Sea.³⁶

Japan’s limited regional clout is another factor that impedes its South China Sea policy. Since ASEAN members have diverse perspectives on China’s maritime assertiveness and the participation of non-claimant states in the South China Sea, ASEAN’s support is essential for Japan to achieve its diplomatic goals. However, Tomotaka Shoji observed that Japan is “not politically influential nor powerful, or persuasive enough to form a unified will of Japan and ASEAN to deal with a powerfully rising China”.³⁷

The limits of international law also constrain Japan’s South China Sea policy. Although Japan emphasizes the importance of respecting UNCLOS and the 2016 Arbitral Tribunal ruling—which refuted the legal basis for China’s expansive maritime claims in the South China Sea as represented by the nine-dash line—China refused to participate in the arbitral proceedings and rejected the award. Since there is no enforcement mechanism for the award, it is impossible for the international community to force China to comply. This lack of a practical mechanism to achieve this diplomatic goal is yet another limitation of Japan’s policy.³⁸

The literature has highlighted various restrictions that may have constrained the effectiveness of Japan’s South China Sea policy. Nonetheless, this does not necessarily imply that Japan’s policy has no relevance to the South China Sea dispute. Thus, we must consider an important question: to what extent have Japan’s efforts been successful? Is it true that Japan’s policy has completely failed to deter China’s unilateral actions? To answer this question, the following section will analyse Japan’s South China Sea policy by applying Baldwin’s analytical framework for evaluating foreign policy.

Measuring the Success of Japan’s South China Sea Policy

To assess Japan’s South China Sea policy, this section first summarizes Baldwin’s analytical framework and then applies it to the case of Japan’s South China Sea policy.

Baldwin's Analytical Framework for Foreign Policy Evaluation

According to Baldwin, it is not as easy to measure the success of a foreign policy as it is to assess business results, as foreign policy makers do not have a "standard of value", and thus they "must confine themselves to rough judgments in estimating the overall success of an undertaking".³⁹ Therefore, he identifies three elements that can be used to measure a foreign policy's degree of success: *stakes*, *effectiveness* and *costs*.⁴⁰

The first element is *stakes*. Because foreign policy is goal-oriented, it is necessary to understand the state's goals. Generally, it can be assumed that foreign policy goals are multifaceted and that the state attributes various levels of importance to various goals. Theoretically, a policy's degree of success increases if a state achieves more valuable goals than if it achieves less valuable goals. Furthermore, if a policy achieves success on an opponent's high-stakes issue, the policy's degree of success is further increased. As Baldwin argues, "a small degree of goal achievement in a difficult task might constitute a greater success than a higher degree of achievement in an easy task".⁴¹

The second element is *effectiveness*. Assessing a policy's success solely by whether it has achieved its primary goal will lead to an inaccurate assessment. Even if the policy's primary goal is not achieved, it can still be viewed as attaining a certain level of success, provided it realizes other goals. In addition, a state's primary goal is not necessarily clear. Therefore, the policy's achievements should be evaluated not "solely in terms of primary goals and targets" but also in terms of a continuum that indicates the gradational nature of its effectiveness.⁴² Theoretically, this degree-of-success continuum has two extremes: (1) an extreme success attributable to an extremely effective policy that enables a state to attain multiple foreign policy goals; and (2) an extreme failure caused by a counterproductive policy that undermines the state's national interests. Because the nature of a foreign policy is such that "various goals and targets were not equally important, but neither were they trivial enough to justify ignoring them",⁴³ conceptualizing a policy's effectiveness as the continuum serves to evaluate the degree of success.

The third element is *costs*. Although Baldwin did not define this element clearly, it can be assumed that there are two types of costs that should be considered when assessing a foreign policy's degree of success: *direct* and *indirect* costs. Direct costs are those

imposed on the state directly in addressing an issue, while indirect costs are those incurred as a result of taking action. Furthermore, the costs that the policy inflicts on the opponent should also be taken into account. As Baldwin suggests, “the higher the costs for noncompliance that an instrument of statecraft inflicts on the target, the more successful it is”.⁴⁴

I will now use these three elements to assess the degree to which Japan's South China Sea policy over the past decade has been a success. I argue that the policy has achieved moderate success.

Assessing the Effectiveness of Japan's South China Sea Policy

Stakes

According to Japan's *National Security Strategy*, which was released in 2013 and updated in 2022, Japan's stakes in the South China Sea can be summarized in the following three points.⁴⁵ First, Japan has an interest in deterring China's attempts to unilaterally change the status quo by force or coercion in the South China Sea that will eventually threaten freedom of navigation and undermine Japan's maritime interests at home. Second, Japan has an interest in protecting the rules-based order and promoting the peaceful settlement of disputes by working with regional countries. Third, Japan has an interest in building a stable Sino-Japanese relationship that will enable it to maximize the economic opportunities afforded by China's growth.

Although the *National Security Strategy* does not clearly prioritize Japan's stakes in the South China Sea, it can be deduced that Japan's primary interest is to prevent China from unilaterally changing the status quo by force or coercion, as the achievement of this goal is the prerequisite for Japan to achieve the other two goals. It would be impossible to uphold the rules-based order if Japan were to allow China to continue its unilateral attempts to change the status quo in the South China Sea. To build a stable Sino-Japanese relationship, Japan looks for a China that “compl[ies] with international rules and standards, ..., and play[s] a responsible and constructive role commensurate with its international influence”.⁴⁶ Accordingly, one major part of assessing the degree of success of Japan's South China Sea policy is the extent to which it enables Japan to constrain China's unilateral efforts in the South China Sea.

China's high strategic stakes in the South China Sea should also be taken into consideration, as they affect the level of the policy's

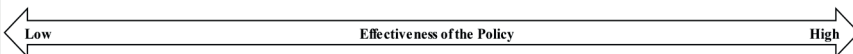
success. For China, expanding its influence over the South China Sea is not simply a matter of gaining natural resources. Rather, it is a matter of realizing the Chinese Communist Party's dream of achieving a "goal of 'national rejuvenation', a concept referring to the restoration of China's pre-eminence following the 'century of humiliation' at the hands of the West and Japan".⁴⁷

From Beijing's perspective, the South China Sea is critical because of its proximity to Taiwan and the important role it plays in China's nuclear strategy. First, control over the South China Sea's waters and airspace would give China the upper hand in any regional conflict. As some experts have highlighted, although the military significance of China's militarized outposts in the South China Sea would be considerably reduced in a long-running conflict due to logistical-support difficulties, those outposts could still "pay huge dividends for Beijing" for a period that "would be critical in a Taiwan contingency".⁴⁸ Second, the South China Sea provides China with the critical ability to launch a second nuclear strike against the United States. China is attempting to establish a Mutually Assured Destruction (MAD) relationship with the United States by modernizing its nuclear capabilities.⁴⁹ To achieve MAD, Beijing needs a secure space for its nuclear ballistic missile submarines that would ensure its ability to launch a second strike against Washington. Because Yulin Naval Base, one of China's most important submarine bases, is located on Hainan Island, the South China Sea's strategic importance cannot be overemphasized. Thus, even the limited success of Japan's South China Sea policy in thwarting China should not be underestimated.

Effectiveness

Given Japan's multifaceted interests in the South China Sea, the effectiveness of its policy can be theoretically conceptualized as a degree-of-success continuum, ranging from extreme success to extreme failure (see Table 1). At the extreme-success end, Japan successfully implements an extremely effective policy that fully deters China's attempts to unilaterally change the status quo and advances the establishment of a rule-based order, while preserving a stable Sino-Japanese relationship. At the other end of the continuum, Japan's policy is seen as counterproductive, provoking a strong backlash from China and leading to a military confrontation in the South China Sea that severely undermines Japan's national interests.

Table 1
Continuum of the Effectiveness of Japan's South China Sea Policy

				
Effectiveness of the Policy				
A Degree of Success				
Extreme Failure	Relative Failure	Moderate Success	Considerable Success	Extreme Success
Provoking a strong backlash from China, causing a military confrontation in the SCS in which Japan might be involved, severely undermining its national interests.	Japan cannot be a relevant player in advancing a peaceful settlement of SCS disputes, and it virtually acquiesces to China's efforts to change the status quo in favour of maintaining a positive Sino-Japanese relationship	Although the policy has only a limited ability to counter China's attempts to change the status quo, it still poses an obstacle to China's activities and serves to establish a rules-based order while maintaining a stable Sino-Japanese relationship	Preventing China from having a free hand in the SCS by diplomatically and operationally countering China's attempts to change the status quo without deteriorating bilateral relations, while advancing regional efforts to establish a rules-based order	Fully deterring China's attempts to unilaterally change the status quo and advancing the establishment of a rules-based order while preserving a stable Sino-Japanese relationship

Source: Author

Three other categories can be considered between these two extremes. The first is a highly effective policy that leads to considerable success, whereby Japan plays a significant role in preventing China from having a free hand in the South China Sea by diplomatically and operationally countering Beijing's efforts without damaging bilateral relations, while advancing regional efforts to maintain the rules-based order. The second is a relatively effective policy that enables Japan to achieve moderate success. Although this policy has only limited efficacy in countering China's attempts to change the status quo, it still poses an obstacle to China's activities and contributes to the rules-based order while maintaining stable Sino-Japanese relations. The third is a less effective policy that invites relative failure. Under this policy, Japan, prioritizing stable Sino-Japanese relations, virtually acquiesces to China's attempts and fails to be a relevant player in promoting the rules-based order.

Judged against this theoretical continuum, Japan's South China Sea policy cannot be designated as either an extreme success or an extreme failure. Although it falls short of compelling China to abandon its unilateral attempts to change the status quo, it has not caused military confrontations that severely undermine Japan's national interests, such as the secure use of its SLOCs in the South China Sea. Japan's policy can therefore be designated as falling into any one of the three categories between the two extremes, depending on whether the policy meets the following criteria: (1) limiting China's attempts to change the status quo; (2) enabling Japan to play a relevant role in the maintenance of a rules-based

order; and (3) the impact on Sino-Japanese relations. On this basis, it could be argued that Japan's policy is a relatively effective one that has enabled it to achieve moderate success.

With respect to the first criterion, it could be argued that Japan's policy poses an obstacle to China's activities in the South China Sea, although Japan is subject to an operational limitation that prevents it from physically countering China. First, Japan's actions of strengthening its alliance with the United States and hosting US military bases could be viewed as a significant contribution to countering China's behaviour in the South China Sea. This is because the United States is "the only nation able to provide well-functioning deterrence against China".⁵⁰ Even when the Trump administration was sending "unclear signals about its commitment" to the region,⁵¹ Japan succeeded in maintaining a robust US-Japan alliance and anchoring the United States in the region by promulgating the FOIP concept.

Second, Japan's policy is relatively effective in that it seeks to restrict China's activities in the South China Sea both normatively and diplomatically. For example, consider China's "dropping or even de-emphasizing" its nine-dash line claim in the South China Sea in favour of the Four Shas claim after the 2016 Arbitral Tribunal award.⁵² The Four Shas claim involves China's assertion of sovereign claim-based maritime rights over four island groups in the South China Sea, namely, Dongsha, Xisha, Zhongsha and Nansha, which China appears to enclose by applying a straight baseline. To be clear, "the Four Shas" claim lacks a clear legal basis, as does the nine-dash line claim,⁵³ and it can be viewed as a mere rhetorical shift. Nonetheless, this shift in China's maritime claims shows that China has become more conscious of "adopting language more similar to that found in UNCLOS"⁵⁴ as a result of being normatively pressured by regional countries' efforts to make it comply with UNCLOS. These efforts are backed by Japan, which consistently and explicitly supports the arbitration process and takes the position that the 2016 arbitral award is final and legally binding on both China and the Philippines.⁵⁵ Given that only eight countries have explicitly called for both countries to abide by the award,⁵⁶ Japan's role in exerting normative pressure on China should not be overlooked.

Furthermore, Japan's opposition to China's excessive maritime claims at the United Nations (UN) is another example of Japan's contribution to international normative and diplomatic efforts to

constrain China's assertiveness in the South China Sea. Driven by China's submission of a note verbale to the UN opposing Malaysia's submission on the limits of its continental shelf in the South China Sea in 2019, Malaysia, Australia, France, Germany, Indonesia, the Philippines, the United Kingdom, the United States, Vietnam and New Zealand filed submissions to the UN (either separately or jointly) opposing China's position.⁵⁷ Japan also submitted a note verbale to the UN in opposition, a move that was seen as supporting international efforts to deter China's unilateral attempts to change the status quo in the South China Sea.⁵⁸

Another example of Japan's success in encouraging better behaviour from China in the South China Sea is its promotion of the idea that disputes should be internationalized. This strategy has limited China's ability to dictate the terms of negotiations, as Beijing was initially only interested in bilateral negotiations with other claimant states. After the 1995 Mischief Reef incident and the 2010 ARF meeting, which respectively resulted in the "ASEAN-ization" and the internationalization of those disputes, China was forced to change its approach and expend time and effort negotiating with ASEAN, leading to the 2002 Declaration on the Conduct of Parties in the South China Sea (DoC)⁵⁹ and the 2011 Guidelines for the Implementation of the DoC.⁶⁰ Moreover, the diplomatic momentum for negotiations for an ASEAN-China Code of Conduct for the South China Sea (CoC), which is designed to reduce tensions in the South China Sea, was accelerated after the 2016 arbitral award, further internationalizing the disputes. Japan's policy has helped accelerate the internationalization of the South China Sea dispute, most notably through the launch of the FOIP concept. This concept has sparked interest from various countries in strengthening the rules-based regional order, making it more difficult for China to have a free hand in the South China Sea.

Nevertheless, there is an important caveat regarding Japan's response: Tokyo is subject to an operational limitation that prevents it from physically countering China's unilateral attempts to change the status quo in the South China Sea. Indeed, Japan has not been a participant in US FONOPs, although it has consistently voiced its support for those operations. Moreover, even though the JMSDF has increased its presence relatively close to China's outposts in the Spratly Islands,⁶¹ its operations fall short of directly challenging Beijing's excessive maritime claims. Therefore, although Japan's South China Sea policy sets the tone for challenging those claims, its limitations, especially in the operational context, are undeniable.

With respect to the second criterion, it can be argued that Japan's South China Sea policy has practical relevance in that it strives to promote the rules-based order. Japan's effort to improve the maritime law enforcement capabilities of Southeast Asian states is a prominent example of this. Enhancing those capabilities serves to promote the demilitarization of the disputes because coast guard vessels are less likely to escalate tensions than warships. Some experts believe that a more assertive coast guard can be a source of tension, as seen in the growing presence of the China Coast Guard (CCG) in the South China Sea.⁶² However, if states use naval vessels to counter the CCG because of the lack of equivalent coast guard capabilities, China will be able to use this as an excuse to launch a military counterattack. Additionally, with Japan providing maritime law enforcement training to regional coastguard officers through the JCG, it can be anticipated that the risk of overreactions by field commanders in the event of an incident at sea can be reduced. Japan's efforts to enhance Southeast Asian states' maritime law enforcement capabilities can therefore be seen as a stabilizing factor that prevents the South China Sea dispute from being further militarized, thus contributing to upholding the rules-based order.

Regarding the third criterion, Japan's policy in the South China Sea has not led to a deterioration in Sino-Japanese relations. On the economic front, Sino-Japanese cooperation is expected to be further strengthened by the Regional Comprehensive Economic Partnership (RCEP), which entered into force in January 2022. The RCEP is designed to promote trade among the participating countries, including Japan and China, by reducing tariffs.⁶³ On the political front, bilateral relations have generally been positive, as demonstrated by numerous reciprocal visits by each country's leaders. For instance, the late Prime Minister Abe visited China four times during the eight years of his second term in office.⁶⁴ Chinese leaders, such as President Xi Jinping, Premier Li Keqiang and Vice President Wang Qishan, also visited Japan in 2018 and 2019.⁶⁵ President Xi had initially planned to make a state visit to Japan in 2020, but the event had to be postponed due to the COVID-19 pandemic. Overall, Japan maintains a relatively positive relationship with China, despite the significant developments in its South China Sea policy over the past decade.

In sum, Japan's South China Sea policy is arguably both effective and relatively successful. It contributes to maintaining the US military presence in the region and poses both normative and diplomatic obstacles to China's behaviour. Additionally, it strengthens

Southeast Asian states' maritime law enforcement capabilities and helps maintain stability in Sino-Japanese relations. However, it is limited in its ability to operationally counter China's efforts, thus preventing it from achieving a higher level of success. It should also be noted that a hard-line approach, such as joining US FONOPs, may result in extreme failure by triggering a Chinese backlash and severely undermining Japan's national interests. Overall, Japan's South China Sea policy is aligned with its stakes in the region and, although it is limited in its operational context, its success should be acknowledged.

Costs

Although Japan's South China Sea policy has met with some success in terms of effectiveness, its costs must also be taken into account. As Baldwin notes, if the policy imposes high costs on Japan, its success decreases, whereas if it imposes high costs on China, its success increases. When Japan pursues its policy, China could take countermeasures to obstruct Japan's use of its SLOCs, which would impose a high direct cost on Japan due to its heavy reliance on the South China Sea as a seaborne trade route. However, these costs have thus far been kept under control, as the policy has not caused a deterioration in Sino-Japanese relations, and Japan's use of its SLOCs have not been impeded.

Regarding the indirect costs of Japan's South China Sea policy, it is important to consider the potential effects of further Chinese maritime expansion in the waters surrounding Japan, as this would significantly undermine Japan's national interests.⁶⁶ In this regard, the 2016 arbitral tribunal award (which Japan supported) appears to be linked to China's coercive activities in the East China Sea, as seen in the increase of CCG and other vessels operating in that area in August of that year. That month, 23 Chinese government vessels were identified in Japan's territorial waters around the Senkaku Islands (which China claims and refers to as the Diaoyu Islands)⁶⁷ alongside an extraordinary 200–300 Chinese fishing vessels in the waters surrounding the Senkakus.⁶⁸ This case shows that Japan could incur the cost of provoking Chinese maritime expansion in the East China Sea, an issue that should be considered when evaluating Japan's South China Sea policy.

In addition to the East China Sea issue, Japan's South China Sea policy should be developed in light of the Oki-no-Tori Shima Island issue. Contrary to Japan's claim that the island is legally

entitled to territorial waters, a contiguous zone, an exclusive economic zone (EEZ) and a continental shelf, China insists that the island is a mere rock that is only legally entitled to territorial waters and a contiguous zone. Because of these conflicting views and China's repeated, unauthorized maritime surveys within Japan's EEZ around the island,⁶⁹ it can be assumed that China would become more assertive in the nearby waters if Japan adopted a tougher stance towards the South China Sea. China's Foreign Minister Wang Yi raised this issue at the 2015 ARF and criticized Japan's expression of serious concern over the South China Sea that was prompted by China's controversial land reclamation activities in the Spratly Islands.⁷⁰ In other words, Japan must balance its interests in the South China Sea and its interests in its surrounding waters. If Japan's maritime interests in its waters are severely damaged as a result of its South China Sea policy, the costs of the policy will exceed its benefits. Furthermore, Japan should take into account any unintentional regional concerns that could undermine its credibility and potentially constrain not only its South China Sea policy but also its regional policies. Some Southeast Asian states are concerned about non-claimant states' increasing involvement in the South China Sea dispute.⁷¹ If Japan's South China Sea policy heightens this concern, eventually those states will consider Japan's pursuit of the FOIP concept to be a destabilizing factor in the region. In that case, the costs of Japan's South China Sea policy may escalate, especially if it erodes Southeast Asian states' support for the FOIP concept.

Despite these potential costs, it is difficult to ascertain a direct connection between Japan's South China Sea policy and the increasing tensions in the waters around Japan, except for the notable increase in Chinese vessels operating in the East China Sea in August 2016. Therefore, I argue that these costs are acceptable to Japan.

To be clear, China has been stepping up its unauthorized maritime surveys within Japan's EEZ surrounding Oki-no-Tori Shima Island.⁷² Moreover, its activities in the East China Sea are also increasing. As noted in Japan's 2021 defence white paper, in 2020, a total of 1,161 CCG vessels spent 333 days within the contiguous zone around the Senkaku Islands, an "all-time high".⁷³ China's new Coast Guard Law, which empowers the CCG to use force if necessary, took effect in February 2021.⁷⁴

Japan considers China's growing maritime presence in the East China Sea and other maritime areas as unacceptable. However, it is difficult to conclude that China's increasingly assertive activities in

Japanese waters are provoked by Tokyo's South China Sea policy. First, aside from the August 2016 situation, the policy has not imposed any other discernible costs to Japan in its surrounding waters. This implies that China's coercive behaviour in Japanese waters does not necessarily reflect its response to Japan's South China Sea policy. Rather, it seems that the behaviour is unchanged, demonstrating the "manifestation of Beijing's intentions to expand its maritime activities in the western Pacific".⁷⁵ Accordingly, in terms of evaluating the costs of Japan's South China Sea policy, it can be argued that the policy's effects on Japanese waters have been limited.

Second, Japan's South China Sea policy has not triggered an increase in concern among Southeast Asian states. According to the ISEAS – Yusof Ishak Institute's 2022 *State of Southeast Asia* survey, Japan was the second "most preferred and trusted strategic partner for ASEAN" after the EU when it comes to confronting the uncertainties caused by Sino-US rivalry.⁷⁶ Japan has gained regional trust against the backdrop of its growing involvement in the South China Sea dispute. Given that Japan has only incurred limited costs, whether direct or indirect, the policy can be seen as a moderate success.

Moreover, Japan's South China Sea policy imposes material, normative and time costs on China. In terms of material costs, Japan's provision of coast guard vessels to Southeast Asian states compels China to allocate additional material and budgetary resources to the South China Sea. The more powerful the other claimants' maritime capabilities become, the more capabilities China must deploy to enforce its claims against them. Furthermore, as then-US Secretary of State Mike Pompeo confirmed in March 2019 that "any armed attack on any Philippine forces, aircraft, or public vessels in the South China Sea will trigger mutual defense obligations under Article 4 of our Mutual Defense Treaty",⁷⁷ Japan's provision of vessels to the Philippine Coast Guard created a tripwire that could trigger America's to provide military support to the Philippines, thus imposing extra material costs on China.

With respect to normative costs, Japan's South China Sea policy advocating the importance of a rules-based order together with other countries in the region has successfully pressured China to make additional efforts to justify its maritime claims. A primary example is, as previously mentioned, China's development of the "Four Shas" policy to fend off growing international criticism.

Admittedly, these costs are not enough to fully deter China's maritime expansion. Nonetheless, their significance in countering Chinese maritime expansion should be acknowledged, as they impose time costs on China. To cover its higher material and normative costs, China must advance its own maritime capabilities and attempt to legally rationalize its maritime claims. Because both these efforts take time, regional states now have an opportunity to devise additional policies to address China's unilateral attempts, as shown in the launching of the FOIP and the formation of QUAD and AUKUS, all of which impose additional costs on China. Therefore, from the perspective of costs vis-à-vis China, Japan's South China Sea policy can be assessed as a moderate success.

Conclusion

This article applies Baldwin's analytical framework to demonstrate that Japan's South China Sea policy has achieved moderate success over the past decade by creating synergies with the efforts of other countries in the region. Japan's policy has been relatively effective in maintaining the US military presence in the region and posing normative and diplomatic obstacles to China's activities in the South China Sea, although it has some limitations, particularly in its ability to operationally counter China's efforts. The policy has also contributed to the maintenance of the rules-based order, avoided damaging Sino-Japanese relations, balanced Japan's interests in the South China and East China Seas and imposed various costs on China. Given China's high-stakes historical and security position vis-a-vis the South China Sea, the qualified success of Japan's South China Sea policy should be acknowledged.

Over the next decade, to deal with China's continued maritime expansionism, Japan should adopt a more active policy in line with its diplomatic goals of deterring China's efforts in the South China Sea and maintaining the rules-based regional order. However, there is no guarantee that such a policy would enjoy a higher level of success compared to the existing policy, as it could strain Sino-Japanese relations and result in unfavourable outcomes for the wider region.

Therefore, Japan should formulate its South China Sea policy based on its relative stakes, effectiveness and costs. Rather than keeping a distance from the dispute, Japan should continuously commit itself to advancing a peaceful settlement of the problem and demonstrate further creativity in pushing back against China's

efforts. To maximize the effectiveness of its South China Sea policy, Japan should seek additional synergies with other regional countries' policies that uphold the rules-based maritime order, as well as play a unique role in those multilateral efforts. It can do so, for example, by utilizing the QUAD framework⁷⁸ and operationalizing its "Indo-Pacific Partnership for Maritime Domain Awareness" initiative which was launched in May 2022.⁷⁹

Furthermore, Japan should continue to strengthen the US-Japan alliance and support America's commitment to deterring China's maritime expansionism in the South China Sea. If Japan cannot join US FONOPs, it should find ways to help foster a common understanding of UNCLOS and promote good order at sea, including by, for example, launching a Japan-ASEAN Ship Rider Cooperation programme. Thus, despite its limitations, Japan can still be a relevant and critical player in the South China Sea dispute by utilizing and amplifying regional countries' efforts to maintain the rules-based maritime order in Southeast Asia.

NOTES

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