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***‘Institutionalising the Indo-Pacific:  
what role for the maritime “rules-based order”?’***

*Indo-Pacific Research Forum 2020 Working Paper*

## **Institutionalising the Indo-Pacific: what role for the maritime “rules-based order”?**

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In recent years, Asia has become increasingly unsettled as shifting balance of power dynamics between a rising China and the US transform the regional security order. One of the central theatres of contestation is the maritime domain, which is highlighted by the adoption of the “Indo-Pacific” narrative by some regional states. Yet not all Indo-Pacific adopters share a common vision of maritime rules or maritime order. Further, states that have been reluctant adopters – such as Southeast Asian nations – also have different perspectives on how far sovereignty can extend into maritime space from states such as the United States, Australia, and Japan. This paper considers whether a common conceptualisation of dealing with maritime issues could be the basis for more robust institution-building around the concept of the Indo-Pacific. It argues that while there are shared concerns among some so-called “like-minded” states, there remains disagreement about how to interpret key maritime norms such as those related to “Freedom of Navigation.” While these disagreements may undermine the creation of an overarching Indo-Pacific institutional architecture, they may also provide incentives for “like-minded” states to come together and collaborate on a shared vision for maritime order.

It is important to consider what is meant by “institutionalising” the Indo-Pacific, how institutions are formed, and how they relate to regions and regionalism. Institutions are notoriously difficult to define and theorise, but as Mark Beeson notes, they are “intimately connected to recurrent patterns of social behaviour.”<sup>1</sup> Citing Oran Young, he distinguishes between institutions as a “set of rules or conventions that define a social practice, assign roles... and guide interactions,” and organisations as “material entities possessing budgets, personnel, offices, equipment, and legal personality.”<sup>2</sup> In a formal sense, regional institutional organisations are entities that emerge as physical sites of cooperation among states in response to security or economic challenges that have their own sets of rules and conventions. Using a constructivist lens, these regional international organisations reflect a sense of shared norms and collective identity that emerge through interaction. There is a range of formal and informal

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<sup>1</sup> Beeson, M. (2002) ‘Theorising Institutional Change in East Asia’, in M. Beeson *Reconfiguring East Asia: Regional Institutions and Organizations after the Crisis*. (London: Routledge), pp 7-28.

<sup>2</sup> Young, O., cited in *ibid*.

arrangements that may advance the Indo-Pacific concept, which may contribute to institutionalising the Indo-Pacific. For some, the concept allows for the development of minilateralism, particularly with a focus on trilateral and quadrilateral arrangements.<sup>3</sup> A key example would be the high-level Quadrilateral Security Dialogue between the US, Japan, Australia, and India. It is contestable whether the “Quad” is likely to lead to concrete advancements in the relationships between these states. If Australia were allowed to contribute to the Malabar naval exercises with India, US, and Japan in the future, this might be taken as an example of the Quad turning talk into substantive action, reflecting the importance of the maritime domain in bringing together states with some shared interests. Such dialogues, however, fall short of the definition of a regional institutional organisation. In this paper, the term *institutionalisation* is used to refer to the development of comprehensive institutional architecture that bridges the Indo and the Pacific that can strengthen the formation of an Indo-Pacific region. The closest entity to a regional institution that already exists would be the East Asia Summit (EAS). How likely is it that the Indo-Pacific might lead to new regional institutions, and is the maritime domain likely to play a significant role in bringing states together?

### **Perceptions of the Indo-Pacific**

A number of states have, in recent years, adopted the Indo-Pacific nomenclature. A new discourse has emerged around “like-minded states,” a form of shorthand to describe states that share similar concerns around a rising China and the disruptions to the regional status quo that associated changes to the balance of power might provoke. In US declaratory policy, such “like-minded” states are identified as Australia, India, Japan, and the Republic of South Korea. In November 2019, a US Department of State implementation report titled *A Free and Open Indo-Pacific: Advancing a Shared Vision* emphasised the need to “build a flexible, resilient network of like-minded security partners to address common challenges.” The Department of Defense’s 2019 *Indo-Pacific Strategy Report* argued that “[m]utually beneficial alliances and partnerships are crucial to our strategy, providing a durable, asymmetric strategic advantage that no competitor or rival can match.” It emphasised the importance of “networked security

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<sup>3</sup> Medcalf, R. (2020) *Contest for the Indo-Pacific: Why China won't map the future*, (Melbourne: La Trobe University Press).

architecture to uphold the international rules-based order,” outlining expectations that allies and partners will contribute to regional security with the US.<sup>4</sup>

“Like-minded” discourses are not limited to the US. Japanese representatives have also argued that India, Japan, and Australia are on the same page over the increasing assertiveness of China in the disputed South China Sea (SCS). “Like-minded” states have also committed to defending the “rules-based order” in their foreign policy discourses. Australia’s 2017 foreign policy white paper states, “The Government is also committed to working with the United States and like-minded partners to maintain a rules-based order by making practical and meaningful military commitments where it is in our interests and capacity to do so.” It lists the United Kingdom, the European Union, Japan, Canada, and New Zealand as like-minded states.

Given this emphasis on the regional security network, a key question that needs to be considered is how like-minded are “like-minded” states? Do they share common interests, values, and approaches? The US, Japan, Australia, and India have embraced the “Indo-Pacific” - a geostrategic concept that places special importance on the maritime domains of the Indian and Pacific Oceans. Yet, as Priya Chacko and Monika Barthwal-Datta point out, there is a lack of clarity about what the Indo-Pacific is: is it conceptual, geographical, or strategic in nature? Is it a region or a supra-region?<sup>5</sup> Even among the members of recently reformed “Quad,” there are important differences on what and where the Indo-Pacific is. The US, for example, has an Indo-Pacific “strategy,” but other regional “like-minded” states have been reluctant to use the term “strategy.” For instance, Kei Koga has argued that while Japan did use the term Free and Open Indo-Pacific (FOIP) *strategy*, more recently the “strategy” component of FOIP has been minimised.<sup>6</sup>

If it is best conceived of as “strategic geography,” the Indo-Pacific should provide a sense of what is most relevance to states’ security outlook, allow them to identify and prioritise foreign policy goals, and provide shorthand to partners (and non-partners) about the geographical scope of core interests. In the Australia case, for example, Andrew Phillips argues that the

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<sup>4</sup> United States Department of Defense (2019) *Indo-Pacific Strategy Report: Preparedness, Partnerships, and Promoting a Networked Region*, (DoD), June 1.

<sup>5</sup> Chacko, P. and Barthwal-Datta, M. (2020) ‘Free, open, prosperous and inclusive? The politics of strategic narratives on regional order in the Indo-Pacific’, *Australian Journal of International Relations* 47(3):244-263.

<sup>6</sup> Koga, K. (2019) ‘Japan’s “Free and Open Indo-Pacific” Strategy: Tokyo’s Tactical Hedging and the Implications for ASEAN’, *Contemporary Southeast Asia* 41(2):286-313.

“Indo-Pacific strategic geography suggests a need to more equally weight Australia’s engagement with the Indian Ocean and Pacific theatres than does an exclusively Asia–Pacific alternative.”<sup>7</sup> Changes in priorities and foreign policy orientation can then provide a crucial measure by which we can measure states’ strategic commitment to *institutionalising* the Indo-Pacific. Yet Allen Gyngell argues that there is “no such thing as the Indo-Pacific. Like the Asia Pacific, or Asia itself, the Indo-Pacific is simply a way for governments to frame the international environment to suit their policy objectives in particular circumstances.”<sup>8</sup> In terms of regional institution building, though, it may be that its malleable nature means that the Indo-Pacific is, by design, *uninstitutionalisable*.

As Chengxin Pan has argued, the Indo-Pacific is not a politically neutral term, but “a manufactured super-region designed to hedge against a perceived Sino-centric regional order.”<sup>9</sup> It has been fuelled by the collective anxieties of states such as the US, Japan, and Australia about China’s rising influence in Asia. The US has adopted a confrontational approach through the use of strategic competition narratives in its declaratory policy. The Indo-Pacific strategy report, for example, explicitly named China as seeking to “re-order the region.”<sup>10</sup> Yet while Australia and Japan are concerned about threats to a US-led regional order, India’s concerns largely metastasise around China’s threat to its role in South Asia and the Indian Ocean, and its own potential status as a great power.<sup>11</sup> The Japanese government’s 2013 National Security Strategy described China’s actions “as attempts to change the status quo by coercion based on their own assertions, which are incompatible with the existing order of international law, in the maritime and aerial domains.”<sup>12</sup> While Australia’s rhetoric is less overtly confrontational, the “Indo-Pacific” and “rules-based order” are rhetorical proxies for the US-led regional order.<sup>13</sup> While it views China as a strategic competitor that threatens to disrupt the regional status quo, and has put in place legislation to alleviate concerns about foreign interference in Australia’s parliamentary democracy, the Australian government continues to frame China as a “comprehensive strategic partner” in its narratives. In India,

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<sup>7</sup> Phillips, A. (2016) *From Hollywood to Bollywood?: recasting Australia’s Indo/Pacific strategic geography*, (Canberra: ASPI)

<sup>8</sup> Gyngell, A. (2018) ‘To each their own “Indo-Pacific”’ *East Asia Forum*, May 23.

<sup>9</sup> Chengxin Pan (2014) ‘The ‘Indo-Pacific’ and geopolitical anxieties about China’s rise in the Asian regional order’, *Australian Journal of International Affairs* 68(4): 453–469.

<sup>10</sup> Other examples include Pence’s speech at Hudson Institute, and Mattis’ at Shangri La in 2018 and 2019.

<sup>11</sup> The author would like to thank Priya Chacko for this insight, and for her feedback on this paper.

<sup>12</sup> National Security Strategy, 2013 8fn, 12

<sup>13</sup> Nick Bisley and Benjamin Schreer. 2018. “Australia and the Rules-Based Order in Asia: Of Principles and Pragmatism.” *Asian Survey* 58, 2: 302.

Modi has identified China as India's main rival, and has demonstrated concerns around the influence of Beijing in smaller South Asian states, particularly through the Belt and Road Initiative. As Indian foreign policy experts have warned, concern about China should not be automatically taken as a willingness to align closely with other powers *against* China.<sup>14</sup>

Even though one of the clear overlaps in strategic outlook is concern about rising China, among adopters of the Indo-Pacific – including India, US, Australia and Japan – there are different opinions about how overt the anti-China signalling should be. Critics of the Indo-Pacific concept have argued that it is a containment strategy aimed at rising powers, particularly China. For example, at the Raisina Dialogue in New Delhi in January 2019, Russian Foreign Minister Sergey Lavrov caused controversy when he questioned the role of the United States (US), Australia, Japan and (somewhat oddly) the Republic of Korea in initiating and promoting “Indo-Pacific strategies” as a replacement for Asia-Pacific. In the Question and Answer session, he stated: “Why do you need to call it Indo-Pacific? And you know the answer. The answer is to contain China. And it is not even hidden.”<sup>15</sup> In the Chinese academic community, some also see the Indo-Pacific as a tool for constraining China's rise.<sup>16</sup> In contrast, defence representatives of Australia, Japan, Britain, France and India in a later panel were almost universally at pains to stress that the Indo-Pacific was not a concept aimed at any one state, even though concerns about rising China appear as a key point of overlap among these states. These debates about the form and function of the Indo-Pacific reflect clear differences in interpretation between rising powers on the one hand, and the order preservationists on the other. Yet what is often overlooked are the ways in which the Indo-Pacific is a concept with variations among the so-called “like-minded” states.

While it appears that concern around China's rising power is shared between the Quad states, states nonetheless have different approaches to dealing with changing political, economic and security dynamics. While states deploy similar phrasing around the Indo-Pacific – “rules-based order,” “free and open,” “inclusive” – these can mean different things. The concept of “inclusivity” in Indo-Pacific discourses is also contested. Indian Prime Minister Modi's 2018

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<sup>14</sup> Ian Hall. *Modi and the Reinvention of Indian Foreign Policy*. Bristol University Press, Bristol, 2019.

<sup>15</sup> Sergey Lavrov, “Foreign Minister Sergey Lavrov's remarks and answers to questions at a plenary session of the Raisina Dialogue international conference, New Delhi, January 15, 2020”, 15 January 2020, [https://www.mid.ru/en/foreign\\_policy/news/-/asset\\_publisher/cKNonkJE02Bw/content/id/3994885](https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/3994885)

<sup>16</sup> Dingding Chen, “What China Thinks of the Indo-Pacific Strategy”, 27 April 2018, <https://thediplomat.com/2018/05/what-china-thinks-of-the-indo-pacific-strategy/>

Shangri La Dialogue speech highlighted a vision of the Indo-Pacific as inclusive. India does not want it to be viewed as a containment strategy directed at China, but as a cooperative endeavour that includes states, including China, and Russia, which has been an important defence partner for India. This concept highlights a fundamental difference in worldviews about the region. For India, the emergent regional order is multipolar, not bipolar – which sits in contrast to its fellow “like-minded” Indo-Pacific adopters. According to Chacko and Barthwal-Datta, “India’s Indo-Pacific vision rests on multipolarity: where no singular power dominates, where China does not appear to be excluded or isolated, and Russia is included.” A recent roundtable of Indian foreign policy experts also concluded that while the India that has emerged under Modi appears more muscular, and that “India’s foreign policy towards major partners and in most issue areas remains substantively similar to those of the previous administrations”; in other words, in the substance of foreign policy, there is more continuity than change.<sup>17</sup>

There also remains confusion over who is “in” and who is “out” of the region. India’s perceptions of the Indo-Pacific stretch to the east coast of Africa, whereas Australia and the US have adopted a “Hollywood to Bollywood” perspective in which the parameters of the region end at India. The US vision was clarified as being the west coast of India to the west coast of the US, including Southeast Asia.<sup>18</sup> Australia, meanwhile, sees the Indo-Pacific as stretching from the east coast of India to the west coast of the US. Maps of the Indo-Pacific used by Japan’s foreign ministry exclude New Zealand and the South Pacific, which Australia considers to be its strategic neighbourhood. The boundaries of the Indo-Pacific have implications for how states view their responsibilities, activities and engagements. Yet the most important tension is the place of China in the Indo-Pacific. The fact that it is not clear *where* the Indo-Pacific exists (in terms of its boundaries) and *who* would be included present hurdles to regional institution-building.

Other regional “like-minded” players, such as South Korea and New Zealand, have been less enthusiastic about the new regional nomenclature, reflecting their own geographical

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<sup>17</sup> Surupa Gupta, Rani D Mullen, Rajesh Basrur, Ian Hall, Nicolas Blarel, Manjeet S Pardesi, Sumit Ganguly, “Indian Foreign Policy under Modi: A New Brand or Just Repackaging?”, *International Studies Perspective* 20(1), 2019: 1-45; see also Hall, *Modi and the Reinvention of Indian Foreign Policy*.

<sup>18</sup> Kunal Purohit,

“China looms large even in its absence at India’s Raisina Dialogue, as experts discuss trade and security”, 19 January 2020, <https://www.scmp.com/week-asia/politics/article/3046711/china-looms-large-even-its-absence-indias-raisina-dialogue>.

positioning as well as fears that adopting the term may harm relations with China. For example, on his visit to Seoul in November 2017, US President Donald Trump suggested to President Moon Jae-in that South Korea participate in the “Free and Open Indo-Pacific” (FOIP) strategy, but Moon’s economic advisor “flatly rejected the idea, claiming that FOIP is a Japanese initiative to link Japan with the United States, Australia, and India which “South Korea stands to see little benefit from participating.”<sup>19</sup> Japan was “attempting to create an Indo-Pacific alignment that connects India, Australia, Japan and the US, but South Korea doesn’t need to be a part of that.”<sup>20</sup> While Korea’s stance on the use of the Indo-Pacific concept appears to be softening, there is still a reluctance. In July 2019, for instance, President Moon said that “under the regional cooperation principles of openness, inclusiveness and transparency, we have agreed to put forth harmonious cooperation between Korea’s new Southern policy – aimed at diversifying economic and foreign policy by strengthening relations with India and Southeast Asia - and the United States’ Indo-Pacific strategy.”<sup>21</sup>

What about other states’ perception of the Indo-Pacific? While initially cautious, ASEAN released its vision of the Indo-Pacific concept, with a focus that is focused on work with all sides (including China), encouraging China to be a responsible rising power but not wanting to push too hard. The standpoint of “not choosing sides” sits in contrast with the US, Japan and Australia. The ASEAN Outlook should be interpreted as an effort to shape the regional concept, particularly as the US adopted the term in 2017. The ASEAN Outlook views the Indo-Pacific as:

A perspective of viewing the Asia-Pacific and Indian Ocean regions, not as contiguous territorial spaces but as a closely integrated and interconnected region, with ASEAN playing a central and strategic role;  
An Indo-Pacific region of dialogue and cooperation instead of rivalry;  
An Indo-Pacific region of development and prosperity for all;  
The importance of the maritime domain and perspective in the evolving regional architecture.<sup>22</sup>

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<sup>19</sup> Jaechun Kim, “South Korea’s Free and Open Indo-Pacific Dilemma”, *The Diplomat*, 27 April 2018, <https://thediplomat.com/2018/05/south-koreas-free-and-open-indo-pacific-dilemma/>.

<sup>20</sup> President Moon pitches “New Southern Policy: to define relations with ASEAN countries, *The Hankyoreh*, 10 Nov 2017, [http://english.hani.co.kr/arti/english\\_edition/e\\_international/818482.html](http://english.hani.co.kr/arti/english_edition/e_international/818482.html).

<sup>21</sup> Sarah Kim, “Moon signs onto Trump Indo-Pacific Strategy”, *Korea JoongAng Daily*, 2 July 2019, <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3064972>

<sup>22</sup> ASEAN, “ASEAN Outlook on the Indo-Pacific”, [https://asean.org/storage/2019/06/ASEAN-Outlook-on-the-Indo-Pacific\\_FINAL\\_22062019.pdf](https://asean.org/storage/2019/06/ASEAN-Outlook-on-the-Indo-Pacific_FINAL_22062019.pdf).



The Outlook, not surprisingly, emphasises ASEAN centrality as the basis of cooperation in the Indo-Pacific and its central role in developing inclusive regional architecture and outlines Southeast Asia's role as a conduit and the need to develop "collective leadership forging and shaping the vision for closer cooperation in the Indo-Pacific".<sup>23</sup> It advances maritime cooperation, connectivity, sustainable development, and economics as key areas of Indo-Pacific engagement. Nevertheless, it is also the case that there remain "deep divisions" over the nature and use of the Indo-Pacific construct in Southeast Asia.<sup>24</sup> While the use of the language is similar to other states – inclusiveness, openness, respect for sovereignty – the ASEAN Outlook appears to favour an inclusionary geographic concept rather than a strategy that included overt strategic competition narratives aimed at China and other rising powers. As mostly hedging states that value strategic autonomy, it appears that ASEAN members have adopted the approach of engaging and shaping the concept while remaining wary of elements that could cause concern or resistance in Beijing.

### **The Maritime Domain**

The Indo-Pacific term reflects the seas an important frontline theatre for great power contestation and attempts to revise some international rules. Some describe the conflict in the seas as a potential flashpoint or arena for kinetic clashes between the Great Powers as they seek to either defend their visions of freedom of navigation or extend their security jurisdiction seaward. States have conflicting strategies: maritime powers, for example, seek *sea control*, which sits in contrast with regional countries that focus on *sea denial* (ie securing their security interests within their various maritime zones). These different strategic worldviews stem from two essentially distinctive visions of how the sea is conceptualized in relation to sovereignty and security, reflected in how states view the military freedoms of warships in territorial seas and EEZs. The second major challenge is the ambiguities and uncertainties of UNCLOS. While UNCLOS was a remarkable achievement, the lack of consensus about the balance between the seas as *res communis* (not subject to sovereign possession) and as sovereign possession has resulted in significant gaps within the maritime rules-based order.

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<sup>23</sup> *Ibid.*

<sup>24</sup> Prashanth Parameswaran, "Assessing ASEAN's New Indo-Pacific Outlook", <https://thediplomat.com/2019/06/assessing-aseans-new-indo-pacific-outlook/>.

The “like-minded” characterisation disguises important differences in the ways regional maritime order is conceptualized, operationalized and defended, and the issues that are prioritised. Developing an Indo-Pacific of substance requires recognising the differences that continue to exist in crucial areas such as the maritime domain, and for states to actively seek greater alignment in those areas. One area where these differences are clear is in the maritime domain. Even so-called “like-minded” Indo-Pacific states have different opinions on the rules that are ostensibly at the heart of the “rules-based order.” Given the Indo-Pacific is essentially a maritime construct, it is also important to consider key differences in how “like-minded states” interpret maritime rules. The United Nations Convention on the Law of the Sea (UNCLOS) is known as the “Constitution for the Oceans.” Since 2009, there have been rising concerns about China’s challenges to UNCLOS, particularly in the South China Sea, and the implications of its assertions towards freedom of navigation, and the entitlements of smaller Southeast Asian littoral states, including the Philippines, Vietnam, Malaysia, Brunei and Indonesia.

Japan, Australia and the US generally interpret freedom of navigation and overflight similarly, with this forming a central component of their Indo-Pacific discourses. Australia and Japan’s attitude towards freedom of navigation is tied to broader strategic concerns about the ongoing US commitment and presence in Asia. Yet, states seeking to make security restrictions on freedom of navigation make up just over 50 percent of the international community. More than 60 states have claimed some sort of security jurisdiction through demands for notification or authorization of different types, including a number of South China Sea claimant states such as Vietnam, Malaysia, and Indonesia. Among “like-minded” states, India and South Korea both make claims that the US Navy deems as excessive. South Korea maintains a three-day prior notification for foreign warships or non-commercial government vessels. India requires foreign warships to provide notice before entering territorial sea, claims authority over contiguous zone for security purpose and requires 24-hour prior notice from vessels entering EEZ with cargoes “including dangerous goods and chemicals, oil, noxious liquid, harmful substances, and radioactive material.”<sup>25</sup>

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<sup>25</sup> US Navy (United States Navy Judge Advocate General’s Corp) *Maritime claims reference manual*, 2019. [https://www.jag.navy.mil/organization/code\\_10\\_mcrm.htm](https://www.jag.navy.mil/organization/code_10_mcrm.htm).

“Like-minded” states also defend their vision of the “maritime rules-based order” in the Indo-Pacific in particular ways, as fears of rising China influence the policies and strategic directions differently across states. The key interest of the US in the South China Sea disputes is freedom of navigation, which has become associated with its Freedom of Navigation Operations (FONOPs). These operational assertions seek to challenge excessive maritime claims, including (but not limited to) the restrictions that states have sought to employ on the legitimate transit of warships conducting “innocent passage” within the 12nm territorial seas and military activities in their Exclusive Economic Zone. Not only have FONOPs been conducted regularly against Southeast Asian states – including Vietnam and Malaysia – they have also been conducted against those “like-minded states” classified by the US, including Japan, India and South Korea.<sup>26</sup> While India has become increasingly concerned about what China’s actions in the South China Sea might mean for the Indian Ocean in the future, it does not share an interpretation of military freedom of navigation with the US; in fact, in some areas its interpretation is closer to China.<sup>27</sup> Different worldviews on maritime space – including how far sovereignty may extend within maritime jurisdictions – has consequences for how like-minded states may choose to push back against rising powers seeking to challenge UNCLOS.

There are suggestions that the use of the term “freedom of navigation” is not fully supported across the region.<sup>28</sup> For one, not all states within or beyond Southeast Asia share the same interpretation of what military freedom of navigation entails. Sam Bateman, for example, suggests that some Southeast Asian states prefer the more restrictive term “rights” of navigation as opposed to “freedom,” which sits in contrast with dominant narratives of the key Indo-Pacific adopters.<sup>29</sup> Beijing has also been employing a narrative that freedom of navigation amounts to US “maritime hegemony.”<sup>30</sup> In other words, freedom of navigation risks becoming associated with US interests in maintaining its own global naval power at the expense of the interests of other states that seek to extend their security jurisdictions seaward.

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<sup>26</sup> United States Navy, “Maritime Claims Reference Manual”, 2019, [https://www.jag.navy.mil/organization/code\\_10\\_mcrm.htm](https://www.jag.navy.mil/organization/code_10_mcrm.htm).

<sup>27</sup> See Sam Bateman. *Freedoms of Navigation in the Asia-Pacific region: Strategic, Political and Legal Factors*, Routledge Focus, Oxon, 2020.

<sup>28</sup> RSIS (S. Rajaratnam School of International Studies). *Understanding freedoms of navigation—ASEAN perspectives*. Event report. Singapore: RSIS, 7 March, 2017.

<sup>29</sup> Bateman, *Freedoms of Navigation in the Asia-Pacific region*, 83.

<sup>30</sup> Zhang Haiwen. 2010. “Is It Safeguarding the Freedom of Navigation or Maritime Hegemony of the United States? – Comments on Raul (Pete) Pedrozo’s Article on Military Activities in the EEZ.” *Chinese Journal of International Law* 9: 31-47.

## Conclusion

States should recognise these differences and aim for developing closer alignment on key issues of divergence. While the Indo-Pacific concept might be a broad concept that allows multiple meanings, there is a potential problem that such different interpretations ultimately produce a hollow concept that does little to reflect the substantive interests and foreign policy activities of states. A difference in opinion is not necessarily an impediment to closer coordination of “like-minded” states, but they need to be recognised and closer alignment pursued. If the maritime arena and the “rules-based order” are at the centre of the Indo-Pacific, more work needs to be done on aligning concepts such as military “freedom of navigation” and, more generally, the underlying principle of the “freedom of the seas”. While maritime ASEAN states have the most to lose in China’s assertive SCS actions, there remains a reluctance to resist China due to a range of structural, domestic and economic factors. Factors such as size, material capacities, geography, strategic culture and domestic politics play important roles in shaping interests and values. These regional states have different perspectives about the significance of these disputes to their own national interests and regional order more broadly.

While all states are “like-minded” in that they share a concern about China’s rising power on some level, the nature of their threat perception differs, as does their approach to managing their relations with great powers, and thus their “like-mindedness” is currently quite superficial. An East Asia Forum editorial argued that the Indo-Pacific is an unrealistic “security blanket” for states that cling to the American alliance framework as the basis of regional order, but “re-imagined with Indian heft.”<sup>31</sup> For Hugh White, the Indo-Pacific concept is so popular “because it is so reassuring,” yet he sees the establishment of spheres of influence splitting the Indo-Pacific as a likely scenario, one that at least needs consideration in strategic planning.<sup>32</sup> Problematically, the use of “like-minded” narratives may inculcate a form of wishful thinking that states share a greater understanding of concepts such as the “Indo-Pacific,” or approaches to the great powers than what they do. The extent to which these states have shared vision of order, rules or worldviews has implications for institution-building around the Indo-Pacific concept.

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<sup>31</sup> East Asia Forum Editorial Board, “The Indo-Pacific Linus blanket”, *East Asia Forum*, 16 March 2020.

<sup>32</sup> Hugh White, “Why India isn’t going to save Australia from China’s power”, *East Asia Forum*, 15 March 2020.