

Essay Title: **The Law of the Jungle and Cooperation in the Indo-Pacific**

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The 21st century has been described as the ‘maritime century’<sup>1</sup> due to the world’s increasing reliance on the oceans for prosperity, with global seaborne trade more than doubling from around four billion tons in 1990 to over 11 billion in 2020.<sup>2</sup> Much of the world economy is dependent on the maritime environment for shipping, as well as for the distribution of food, energy, and the varying materials required for health, industry, and manufacturing in an interconnected system valued at \$US14 trillion in 2019.<sup>3</sup>

Maritime power has further been the basis upon which the most powerful empires have built themselves for the last 500 years<sup>4</sup> and the economies of developing nations in the Indo-Pacific have shown the largest shift towards a sea-focused future in building their own prosperity.<sup>5</sup> The rising prominence of the maritime domain would suggest that navies are well-positioned to serve the common interests of Indo-Pacific states in providing security, prosperity, and good order, but this contribution requires more nuance than the mere putting of ships to sea. This essay will discuss the importance of addressing maritime challenges and the role of navies in a prosperous and secure future for the Indo-Pacific, although in the modern domain ships and submarines are not a panacea. The path to security, prosperity, and order may in fact be along a path less noteworthy than the acquisition of new technology or hard power capability: it lies in cooperation.

### **Modern Warfare**

The modern battlefield is one whereby kinetic warfare is increasingly being replaced by or supplemented with hybrid tactics<sup>6</sup>, including the use of cyberattack<sup>7</sup>, foreign interference<sup>8</sup>, and influence on public opinion.<sup>9</sup> Varying forms of economic coercion have impacted Australia and other nations across the Indo-Pacific, and states are looking beyond the strategies of the past in ensuring national security in a strategic environment described within the 2020 Defence Strategic Update<sup>10</sup> as being characterised by expanding cyber capabilities in the Indo-Pacific, great power competition, and grey zone activities.

As squadrons of Chinese fighter jets flew through Taiwanese airspace in response to United States (US)-Japan maritime exercises in early 2022<sup>11</sup> and the Russian navy loomed over the

coast of Ukraine during a heightened fear state pre-invasion<sup>12</sup>, we may look towards a lesser-known text of security strategy and international relations for guidance in responding to such acts of intimidation and coercion by greater powers. The tome referred to is unlikely to be on the reading list of any tertiary qualification in the field or found within any military academy, but perhaps does offer guidance on how smaller and middle powers such as those of the Indo-Pacific may secure their common purpose of increased security, prosperity, and good order, and the potential role that navies may play in this endeavour.

### **The Law of the Jungle**

This text is in fact a poem titled ‘The Law of the Jungle’ found within Rudyard Kipling’s 1895 sequel to ‘The Jungle Book’, aptly titled ‘The Second Jungle Book’.<sup>13</sup> It reads:

“Now this is the Law of the Jungle - as old and as true as the sky;  
 And the Wolf that shall keep it may prosper, but the Wolf that shall break it must die.  
 As the creeper that girdles the tree-trunk the Law runneth forward and back —  
 For the strength of the Pack is the Wolf, and the strength of the Wolf is the Pack.”<sup>14</sup>

The poem outlines the importance of the cooperation within the wolf pack in the survival of the fittest environment of the jungle, one not so different to a landscape of international affairs containing more and more opportunities for coercion and a rising focus on security as strategy. States that were once more dove than hawk such as South Korea<sup>15</sup> and Japan<sup>16</sup> have turned towards defence spending to ensure security. South Korean and Japanese defence budgets have risen by 3.4%<sup>17</sup> and 1.1%<sup>18</sup> respectively, a record figure for Japan in a climate of pandemic-induced reductions in its economy.<sup>19</sup> Both countries have been on the receiving end of past coercion from a larger power in China, with South Korea experiencing weaponised tourism<sup>20</sup> after it allowed the US to move part of its anti-missile defence system to a deployment site within the country, while Japan lost access to Chinese rare earths for two months after a territorial dispute.<sup>21</sup>

### **Wolves without the Pack**

Other states with histories of tussling with Beijing have also looked towards enhancing security. The Philippines has proposed a record 7.87%<sup>22</sup> increase to its own defence spending in 2022, while Vietnam aims to raise its defence budget from US\$5 billion in 2018 to \$US7 billion in 2022.<sup>23</sup> Both states<sup>24</sup> have existing territorial disputes with China in the South China

Sea, along with Malaysia, whose own military spending will increase by 1.8% in 2022.<sup>25</sup> Indonesia's defence budget declined by 2% in 2022<sup>26</sup>, although it is seeking a further \$US125 billion in loans for long-term military modernisation.<sup>27</sup> Much of these efforts likely tie into plans to develop Indonesia's naval capability<sup>28</sup> in deterring incursions from Chinese vessels into its sovereign waters.<sup>29</sup> This increase in regional defence spending points to a breakdown in good order and that states must build their capability to maintain national security.

Australia has also increased its maritime capability with the acquisition of nuclear powered submarines, which will allow the Royal Australian Navy (RAN) to hold at strategic flashpoints around the region, such as in the South China Sea and near Taiwan, for significantly longer periods compared to diesel-electric submarines.<sup>30</sup> Despite this, debate still continues amongst established strategists such as Hugh White<sup>31</sup> on the efficacy of nuclear vs. diesel-electric submarines and the earliest these assets could take to sea will still be the late 2030's.<sup>32</sup> Criticism has further been directed at the design of new Hunter-class surface frigates, raising questions related to Australia's naval warfighting ability.<sup>33</sup> Regardless of the veracity of questions regarding Australian ships and submarines, these obstacles faced in the building of hard power show that pursuing warfare capability provides no short pathway towards security.

### **Facing the Dragon**

Beijing has chosen to not comply with the Law of the Sea Convention or accept tribunal rulings over their behaviour in challenging good order in the South China Sea and has instead continued to impinge on the sovereignty of other regional states in a maritime domain.<sup>34</sup> Nations in the Indo-Pacific have realised that in defending sovereign territory and Exclusive Economic Zones perhaps they cannot rely on tribunals, other nations, and good order, they must rely on themselves and their own maritime capability.

Although Chinese encroachment and coercion is likely on the minds of governments throughout the Indo-Pacific, defence spending cannot be reduced to one Sino-related threat. South Korea faces the missile-happy spectre of its northern brother: North Korea<sup>35</sup>, and Southeast Asian states not only have territorial disputes with China, but also with one another.<sup>36</sup> While the prominence of quarrels in the South China Sea has likely instigated the defence modernisation efforts of nations such as Vietnam<sup>37</sup> and Malaysia<sup>38</sup>, these are also historic military deficiencies. Chinese incursions into maritime territories<sup>39</sup> and sovereign air space<sup>40</sup> have likely only underlined the importance of military deterrence in overall strategy.

Regardless of how smaller and middle powers structure their defence spending, they are eclipsed by Beijing's own capability in proclaiming a 2021 defence budget of \$US183.5 billion, an increase of 6.6% from 2020.<sup>41</sup> China can be seen as one of the 'Lords of the Jungle' described in Kipling's poem (although there is no mention of the 'Dragon') and for smaller states facing such capability their strategy to maintain prosperity, security, and good order should keep with that of the wolf and the power of the pack. In essence, Indo-Pacific states should work together to face the challenges posed by greater powers, rather than build naval and defence capability alone. Existing groupings such as AUKUS and the Quad are prime examples in this strategy.

### **Divide and Rule**

But in this the Dragon adheres to Kipling's poem in that:

“When ye fight with a Wolf of the Pack, ye must fight him alone and afar,  
Lest others take part in the quarrel...”<sup>42</sup>

Divide and rule is a common tactic for governments such as Beijing in separating smaller states from the benefits of cooperation, whether in isolating Taiwan from its diplomatic allies or targeting individual nations of the Indo-Pacific for territorial encroachment. Security alliances and their potential for cooperation induces anxiety in great powers such as China<sup>43</sup> and can expose the vulnerability of superpowers towards groupings of countries that arise within its sphere of influence.<sup>44</sup>

Regional alliances such as AUKUS<sup>45</sup> and the Quadrilateral Security Dialogue<sup>46</sup> have formed as pacts to counter China's rising hegemony and increasingly coercive strategies, but smaller nations in the Indo-Pacific do not have the same ability to form such power groupings. These states must further consider factors such as trade, aid, and possibly being targeted by grey zone activities. Beijing has become an increasingly important trading partner for states in the region, overtaking Australia in Pacific trade<sup>47</sup> and becoming the third-largest aid donor in the Pacific.<sup>48</sup> China has employed this aid to divert Indo-Pacific states such as the Solomon Islands<sup>49</sup> and Kiribati<sup>50</sup> away from ties with Taiwan, and utilised coercive measures with nations such as Palau who rebuff their directives.<sup>51</sup> Beijing has become adept at such hybrid tactics, further utilising public-opinion warfare, psychological warfare, and “lawfare”: the misuse and abuse

of international law for their own purposes.<sup>52</sup> The Pacific has become particularly vulnerable during the COVID-19 era due to the region facing a potential ‘lost decade’ of social and economic growth resulting from the pandemic.<sup>53</sup> Southeast Asia has become a similarly contested space for great power competition<sup>54</sup>, and has experienced a new strategy of creating and leveraging influence through the donation of COVID-19 health supplies and vaccine diplomacy.<sup>55</sup>

### **Lack of Cooperation in the Indo-Pacific**

The Indo-Pacific is increasingly being viewed as a region of primary geostrategic importance and the use of navies to ensure the security, prosperity and rules-based order of the region is growing in prominence. Australia<sup>56</sup> and the US<sup>57</sup> have directed a maritime focus towards the Indo-Pacific, and European powers such as Germany<sup>58</sup>, France<sup>59</sup>, and the United Kingdom<sup>60</sup> are all looking to build naval capability and strategic partnerships in the region. Still, this increased interest and involvement from greater powers in the Indo-Pacific maritime domain has not directly equated to a significant increase in security for smaller nations in the region.

Maritime disputes still exist in areas such as the South China Sea, whereby China has repeatedly infringed upon the sovereignty and Exclusive Economic Zones of nations such as the Philippines<sup>61</sup>, Vietnam<sup>62</sup>, Malaysia<sup>63</sup>, and Indonesia<sup>64</sup>. The shift in focus of European powers and the US towards the region has not necessarily increased security, prosperity, or order. Further, the risk of tensions breaking into conflict around the South China Sea are particularly dire for waterways that saw \$US3.37 trillion in trade in 2016<sup>65</sup>, as well as hosting transport of significant amounts of the world’s energy.<sup>66</sup> A regional conflict or blockade that froze international shipping would contract Taiwan’s economy by a third, while Singapore’s economy would fall by 22%. Hong Kong, Vietnam, the Philippines, and Malaysia would suffer falls in their economies of 10-15%, with these figures not including potential costs and casualties from kinetic warfare.<sup>67</sup> Australian maritime trade is not immune to the effects of conflict or targeted coercion: Captain Michael Beard of the RAN has outlined Australia’s lack of maritime trade strategy in protecting important sea lines of communication and the resulting risks to Australia’s shipping routes from foreign interference or aggression.<sup>68</sup> With Beijing’s greatest naval expansion in generations,<sup>69</sup> an Indo-Pacific dominated by China may lead Australia and its Exclusive Economic Zones to be the next target of territorial coercion.

Following the ‘Law of the Jungle’ and utilising cooperation cannot simply involve greater powers increasing their maritime hard capability in the Indo-Pacific, a situation possibly leading to a ‘security dilemma’ whereby the measures taken by one state to increase its security results in equal or greater reactions from other nations who feel their own security is reduced.<sup>70</sup> This spiral continues on with participating states in fact becoming more insecure due to the arms race security dilemmas often entail. Increasing security should instead take on forms developing the strength and ability of smaller nations, leading to alliances and increased capability in aggregate and allowing for their participation in power groupings. Indo-Pacific states should be empowered to contribute to their own prosperity and security and be active participants in maintaining good order and pursuing commonality of purpose.

### **Maritime Cooperation**

One example of such endeavours is the Australian Pacific Maritime Security Program (PMSP).<sup>71</sup> The PMSP is a commitment of \$AUD2 billion over 30 years for enhancements to Pacific nation maritime capability and includes the provision of patrol boats, 21 of which will be provided to 12 Pacific Island nations and Timor-Leste between 2018 and 2023. These ships will operate as sovereign assets of participating nations, and will be packaged with long-term training, advisory, maintenance, infrastructure, and other support.<sup>72</sup> The PMSP supports smaller states to participate in large multilateral naval operations, such as Timor-Leste taking part in the HARI’I HAMATUK exercise with the US, Japan, and Australia.<sup>73</sup> The program entails a region-wide integrated aerial surveillance network, supporting intelligence-driven maritime patrols and contributing to regional maritime security. This program has also provided enhancements to regional coordination and improved operability between Pacific Island states in meeting maritime challenges and opportunities. The US has advocated for a similar form of military diplomacy in the region, with the US Military Commander in the Pacific supporting the strategy of cooperation and stating that preparing the Indo-Pacific for the future requires increasing the confidence and combat readiness of partners in the region.<sup>74</sup>

This form of cooperation and the supporting of Indo-Pacific allies to develop their maritime capability not only benefits the participating state, but also works to build the security, good order, and prosperity of the region through the use of and development of navies. This is particularly relevant for developing nations in the Indo-Pacific, who face further barriers to trade and prosperity such as the natural costs arising from geographical maritime location, lower technological development, and transport security costs.<sup>75</sup>

### **The Defence Cooperation Program**

A further example of this form of cooperation and capability building is the Australian Defence Cooperation Program, which has made inroads into forming strategic relationships with militaries across the Indo-Pacific. The Program was allocated over \$AUD155 million for a wide range of educational and maritime activities across 2021 and 2022.<sup>76</sup>

The Program engages states throughout South Asia, Southeast Asia, and the South Pacific to support Australia's defence engagements and relationships. This avenue of cooperation has been reported by the Australian National Audit Office as being highly valued by nations throughout the Indo-Pacific, whose personnel benefit from education and training opportunities provided at Australian civilian and military institutions.<sup>77</sup> Multilateral and bilateral exercises are further included in the program and the most recent Australian Defence White Paper singled out this cooperative endeavour for enhancement to build the confidence and capacity of regional partners.<sup>78</sup>

In 2021 and 2022, nearly \$AUD27 million<sup>79</sup> was allocated to cooperation in Southeast Asia, allowing for coalition operational deployments, developed maritime security, cooperative exercises<sup>80</sup>, senior officer visits<sup>81</sup>, and exchange postings.<sup>82</sup> Over 2,000 officers from the Thai military have taken part in the Program since 1991<sup>83</sup>, and the King of Thailand was a participant, where he trained at the Royal Military College, Duntroon, with the current Governor-General of Australia David Hurley, the former Governor-General Sir Peter Cosgrove, and the former Director-General of the Australian Secret Intelligence Organisation, Major General Duncan Lewis.<sup>84</sup> Such historic links not only enhance the capability of partners in the region but illustrate unique and sincere relationships that cannot be replicated through ties arising from vaccine diplomacy, the provision of aid, or transactional trade.

Around \$AUD32 million<sup>85</sup> contributed to combined exercises, training, education, infrastructure projects, and advisory and liaison positions in Papua New Guinea<sup>86</sup>, and the Program undertook a similar strategy in the South Pacific in supporting the regional maritime security program.<sup>87</sup> In 2021 and 2022, the South Pacific accounts for over 51% of the Programs budget, a lion's share of nearly \$AUD80 million.<sup>88</sup> This funding supports programs in a wide variety of Pacific states, including Fiji<sup>89</sup>, Samoa<sup>90</sup>, Palau, and the Solomon Islands<sup>91</sup>, and was



identified by a 2021 Joint Standing Committee on Foreign Affairs, Defence, and Trade as being one of Australia's most comprehensive and successful regional engagement mechanisms.<sup>92</sup>

The Defence Cooperation Program has little military strategic value in the traditional sense, instead its efficacy lies in the relationships built and sustained with regional partners. The Australian Auditor-General found that long lasting relationships between participants in the program and their Australian counterparts has allowed prompt and sympathetic hearings in foreign policy discussions and has advanced Australia's interests.<sup>93</sup> People-to-people links have helped decrease tensions between Australia and other nations at key junctures and has allowed Australian defence personnel to familiarise themselves with the Indo-Pacific environment and its operating procedures, as well as the individual capabilities and cultures of participant states. This Program has been an important driver of maritime capability in the Indo-Pacific and is an example of how cooperation in the naval domain can assist regional states in building their own maritime strength, but also in establishing relationships that would be essential in any future grouping against territorial encroachment or coercion by greater powers.

### **Cooperation for All**

While existing military and naval cooperation has enhanced the capability, infrastructure, and knowledge of states around the Indo-Pacific, the benefits of this cooperation are lost if nations must then take care of themselves during times of crisis, or in facing challenges to good order. Modern maritime strategy and thought is a complex interaction of numerous variables, strategies, and goals. It views sea actions as a function of state power that can include diplomacy, trade and border protection, coastal defence, protection of offshore interests, and the exploitation, conservation, and regulation of Exclusive Economic Zones.<sup>94</sup> Maritime strategy and naval cooperation is ideally suited to not only serving defence interests in the region, but also in pursuing other goals in diplomacy, trade, and such. A nation's maritime power rests on key elements such as geographical location, dependency on commercial sea activities, military and diplomatic strategy, maritime tradition, and shipbuilding potential.<sup>95</sup> States relying on one another for advantageous basing opportunities, knowledge sharing, and Australia's acquiring of nuclear submarines through AUKUS are examples of cooperation being quintessential in the building of regional maritime power and the primary role that navies play.

Cooperation between navies will be important in navigating the effects of geopolitical tensions through capability building, particularly for smaller nations without the means or knowledge to create those opportunities for growth alone. The deployment of naval power by one state, whether it be nuclear submarine or small coastal patrol vessel, is limited in facing potential maritime aggression by greater powers with immense defence budgets or in deterring potential escalating conflicts that could lead to catastrophic effects. Through cooperation and combined multilateral naval forces, the path is relatively clear towards levels of security, capability, and maritime power that are enhanced as a whole and offer more opportunities for securing the safety and sovereignty of individual Indo-Pacific states. Perhaps Kipling summarised best when he wrote:

“The strength of the Pack is the Wolf, and the strength of the Wolf is the Pack.”<sup>96</sup>

### **Further Maritime Threats**

Maritime challenges facing the Indo-Pacific are not only geopolitical in nature. The region further faces the maritime threat of increasing piracy, particularly around the Strait of Malacca and Southeast Asia.<sup>97</sup> Piracy not only represents a physical and economic threat to individual vessels and shipping companies, a threat that has been estimated at costing between \$US1-16 billion per year because of theft, ransom, increased insurance costs, shipping delays, and anti-piracy measures,<sup>98</sup> but can further impact trade within and from the region. Research has shown that an increase in 10 acts of piracy along traditional maritime trading routes between two countries led to a decrease in bilateral trade value of 11%.<sup>99</sup> The COVID-19 pandemic has further exacerbated and provided opportunities for maritime piracy through the diverted attention and focus of governments, leading to a 24% rise in global piracy during the health crisis.<sup>100</sup>

Cybersecurity is another identified threat to the maritime Indo-Pacific domain. Ships and ports are vulnerable to malicious cyberattacks originating from email, denial of service, impersonation, or other means, which can lead to the corrupting of ships systems and can spread to land-based systems and operations associated with a vessel, potentially leading to financially crippling effects. One example is the world’s largest shipping and container logistics company: Maersk, falling victim to a cyberattack that halted its global port operations.<sup>101</sup> Indo-Pacific states both large, like Japan,<sup>102</sup> and small, such as Papua New

Guinea<sup>103</sup>, have been targeted by cyberattack, and cooperation between regional nations has long been advocated as an avenue for building cyber defence and capability.<sup>104</sup>

Sea slavery on fishing vessels is a further regional challenge, whereby an estimated 17,000 workers on fishing vessels around Southeast Asia alone in 2018 could be considered as slaves.<sup>105</sup> Regional nations lack the capability and determination to make real progress in addressing a potential plague in sea slavery, and cooperation, support, and direction from other Indo-Pacific nations could build maritime anti-slavery capability and focus it towards addressing this ongoing human rights crisis.

Climate change is another spectre for nations in the Indo-Pacific, particularly in the Pacific, which will face losses in littoral infrastructure, cyclones and droughts of increasing intensity, failure of subsistence crops and fishery resources, losses of mangroves and coral reefs, and the spread of certain diseases.<sup>106</sup> Pacific nations are facing a change in their fundamental way of life and require support in navigating the threats ahead. Naval cooperation will not only develop the capability of Indo-Pacific states in countering local piracy through the provision of naval assets, training, and anti-piracy exercises, but also in supporting island nations to defend themselves from and adapt to the encroaching effects of climate change on their maritime and coastal domains.

As outlined within this essay, when faced with challenges to the common purpose of Indo-Pacific states in pursuing prosperity, good order, and security, nations often face these provocations and resulting disputes alone. Cooperation between nations is one key avenue for increasing capability, resilience, knowledge, and experience in defending regional maritime sovereignty, developing military capability, countering piracy and the effects of climate change, as well as addressing the scourge of sea slavery. The world is indeed within a 'Maritime Century' and navies hold a key place in engaging with regional militaries, forming relationships, sharing maritime knowledge and strategy, and in combining naval forces to meet the needs of Indo-Pacific states in pursuing a common purpose of shared security, prosperity, and good order. The 'Law of the Jungle' perhaps held wisdom in outlining the benefits of cooperation, for just as within the wolf pack, the individual ship is nothing compared to the armada and lone nations within the Indo-Pacific hold greater security, prosperity, and purpose within an ordered environment among cooperative alliances of regional partners and supporters.

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