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AGGIE JOURNAL
ON THE UNITED STATES, CHINA,
AND THE WORLD ORDER

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Volume 1, Issue 2 (Spring, 2025)

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POLS Aggie Journal on the United States, China, and the World

Order showcases undergraduate research on the dynamic relationship between the United States, China, and the global order. The journal is overseen by Qiang (Steven) Wu, the instructor of the course that explores these critical topics.

Each edition features four of the best-written papers from the class, selected to recognize and celebrate students' efforts in producing high-quality research. These papers are published on the instructor's personal website to encourage academic excellence.

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Why Does No Consensus Exist on Territorial Divisions in the South China Sea?

Goodbread L., Southard M., Weeks N., White O.

Introduction

The South China Sea represents one of the most vital maritime locations in the world, rich in various resources such as oil and fisheries, as well as hosting multiple trade routes. The South China sea also has multiple militaristic and economic benefits. Yet despite decades of failed diplomacy and international litigation, no consensus has emerged on territorial boundaries within the region. Contested periphery within the South China Sea lie the Spratly Islands, the Paracels, and the Scarborough Shoal. Claimants to these islands include Malaysia, Brunei, the Philippines, and Vietnam. Since the 20th century these countries have remained in constant conflict with the People's Republic of China over ownership of these territories. The United States has further fueled the divisions in this region with its own involvement.

This paper explores the question of why the nations surrounding the South China Sea remain at an impasse. We will attempt to answer the lingering question, why has no consensus emerged with this long-standing territorial dispute? Furthermore, we provide a theory as to why UNCLOS (United Nations Convention on the Law of the Sea) has failed at diplomacy. We theorize that the claimants, notably China, do not want to, and will not concede. We believe that this is because certain conditions are not being met: maritime reform, mutual respect, and cooperation through ASEAN (Association of Southeast Asian Nations).

Historical Background and China's Claims

China utilizes various legal and historical claims to claim ownership of territories within the South China Sea. China provides support to its maritime claims by using UNCLOS. Additionally, they back the legality of their claims with their consistent historical presence in the region dating back to the Han dynasty. Within the Han Dynasty, the Chinese emperors utilized the South China Sea for various fishing and economic activities. From then on, China has been

using the sea for strategic trade routes and travel. In 1947, China developed what they refer to as the Nine-Dashed Line (or referred to by Taiwan/Republic of China as the Eleven-dashed line for differing reasons), encompassing the Scarborough Shoal, Spratly, and Paracel Islands. The nine dashed line has become a focal point in the region's disputes. However, China's interpretation of the line remains strategically ambiguous. The line lacks precise coordinates and has been drawn differently on several occasions.

In 1982, the United Nations Convention on the Law of the Sea (or UNCLOS) was established. This organization gave countries sovereignty over territory extending twelve nautical miles off of their respective coastlines. Additionally, it was established that outside of said territorial sea is an additional 200 nautical mile Exclusive Economic Zone or EEZ. In a lawsuit initiated by the Philippines, it was ruled that China's Nine-Dash Line had no legal basis under UNCLOS. According to the U.S. China Economic And Security Review Commission, the arbitral tribunal adjudicated that China's claims were not legally permissible under the convention (notably the nine dashed line), and invalidated any historical based arguments that have caused conflict with the EEZ's (Exclusive Economic Zone) of other players. Although it is important to note that China has made no claim of the nine-dashed line to base their maritime rights. China responded to the tribunal by rejecting the ruling and as the U.S.-China Economic and Security Review Commission also stated that China claimed the ruling: "null and void".

China continues to maintain their sovereignty even after the ruling over the disputed territories, and continues to construct military facilities and patrol territories within the disputed areas. In M. Taylor Fravel's, *China's Strategy in the South China Sea*, the author examines China's maritime responses and claims since the 1990s. Fravel argues, "Since the mid 1990s, China has pursued a strategy of delaying the resolution of the dispute." (Fravel 2011, 293). Further claiming that

China's deliberate action of delay serves to deter the other party's claimants while consolidating their own.

Background of the South China Sea Claimants

There are various claimants of the South China Sea and its territories, Taiwan (Republic of China), the Philippines, Vietnam, Malaysia, and Brunei. According to *South China Sea: Conflict, Challenge, and Solution* from the Lampung Journal of Law, each claiming country differs in reasoning, but the economic resources of territories are the salient factor. The Philippines calls the South China Sea the West Philippine Sea, and constructed a radar tower and military infrastructure in the Paracel islands to administer sovereignty. Likewise Vietnam has also used various historical claims for the Spratly and Paracel islands, including referencing a former colonial kingdom of Vietnam that accessed the islands as another claim of sovereignty. According to Ardiansyah, Vietnam does in fact have territory within the South China Sea, which is according to UNCLOS. This is argued because of Vietnam's seventeenth century kingdom that once resided within the Paracel and Spratly Islands. Vietnam has also released various missiles in response to China's encroachment. Malaysia and Brunei are intertwined in paper and pen warfare; Malaysia bases its claim on the close proximity of the Spratly Islands' continental shelf to their mainland. Brunei also claims territory using its respective Exclusive Economic Zones (EEZs) (Kusuma et al. 2021, 6). Interestingly, the Philippines filed a lawsuit against China over territorial claims in 2016 with UNCLOS deeming China's historical claims (the nine-dashed line, their citing of usage of territory during the Han Dynasty, and their reclamation activities on territory of the Philippines) illegal. Taiwan has various overlapping claims with China over both the Spratly and Paracel islands.

The United States' History of Involvement in the South China Sea

The United States maintained minimal involvement in the conflict until 2020, therein revoking its neutral stance and siding with the Philippines during their 2016 lawsuit against China. Victor Alexandre G. Teixeira, in *The Hegemony's Contest in the South China Sea*, claims that the era of North America as a hegemon is coming to an end and China is on the rise.

Teixeira further claims that America's recent involvement in the South China Sea conflict has caused China to respond combatively. In *The United States' China Containment Strategy and the South China Sea Dispute*, also written by Victor Teixeira, claims involvement in the region to fulfill the US Containment Policy. Initially conceived during the Cold War, the US Containment Policy seeks to halt the spread of communism. In this case, the United States fears the rise of China's economic and political power as a communist country. The author also discusses another academic's argument, namely that the United States' desire for peace is the reason for its involvement. The author claims that with this theory, the US would seek to establish law and order in the South China Sea.

Author Christian Wirth goes on to discuss the effect of the Freedom of Navigation Act on the conflict in *Whose 'Freedom of Navigation'? Australia, China, the United States and the making of order in the 'Indo-Pacific'*. Wirth notes that although the Freedom of Navigation Act is frequently used to justify U.S. and allied naval operations in the South China Sea region and other contested areas, the author states that the concept remains “ambiguous in substance and unclear in the nature of the threatened order.”. Wirth's analysis shows that “threatened freedom” is more closely related to vessel movement and control, rather than the use of trade routes and commercial shipping security. This further fosters distrust and conflict among the claimants of the South China Sea territories, as well as among outside players, such as the United States.

Why Has No Successful Consensus Developed?

Despite numerous attempts at compromise, none of these meetings have yielded tangible or lasting results. According to The Interpreter, ASEAN and China have been negotiating a Code of Conduct (COC) for over two decades. In 2023, a three-year deadline was set to conclude these talks and reach a mutually agreed-upon agreement. China has disagreed with almost all proposed options, believing that ASEAN is asking for too much. The author, Rahman Yaacob, also stated that China is not the only party to blame, but ASEAN parties contribute to these long standing disagreements as well. ASEAN negotiators are slow and unprepared with their negotiations, “often needing to consult their capitals for instructions on almost every discussion point” (Yacob, 1). The main issue causing no consensus to be reached is both the lack of trust, and lack of compromise. Although it is important to note that China and the ten ASEAN states have reached an agreement over the “ASEAN-China Declaration on the Conduct of Parties” in the South China Sea, there is still much work to be done. Other diplomatic meetings have been held during this time, such as the China–Philippines Bilateral Consultations of 2024, and U.S.–ASEAN Special Foreign Ministerial Meeting of 2021. The China-Philippines Bilateral Consultations of 2024 were a series of diplomatic meetings in which China reiterated its position and asked the Philippines to withdraw its military vessels. A step in the right direction was taken though, when China agreed to continue communication in a diplomatic fashion with the Philippines regarding the conflict. The U.S.–ASEAN Special Foreign Ministerial Meeting of 2021 was another diplomatic meeting, in which the United States reaffirmed its commitment to ASEAN and freedom of seas as well as UNCLOS. Although these meetings were successful, because of their lack of decision making, still no solution has been reached.

Today, China continues to assert sovereignty over the majority of the South China Sea using its naval power, and backs its militaristic presence using UNCLOS ambiguously.

Simultaneously, neighboring countries provide their own claims using both UNCLOS and colonial-era treaties as backing. Recently, the United States, though not a claimant within this region, has emerged as a key player. The United States' Freedom of Navigation Operations and relations with ASEAN nations have worsened tensions within these waters. The U.S. claims these actions are protecting the international order, but China views these actions as a threat. Through our research, it is clear that none of the competing territories wish to concede. It is even more evident that for the moment China will not concede, even if this means violating international law. For lasting peace, the focus must shift to evidence-based maritime reform, multilateralism through ASEAN, and mutual respect for sovereignty and history. We assess that the answer to why no consensus exists on territorial divisions in the South China Sea is that these conditions are not being met. To create a diplomatic result, trust must be built through these competing countries. The history of their involvement within the territory must be recognized and respected, and to see lasting results it may be needed for other parties to mediate communication between players. There is still much work to be done, but we believe that once there is effort to listen and understand there will be change.

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What are China's Motives Behind Buying American Farmland?

Goodbread L., Southard M., Weeks N., White O.

Introduction

In recent years, there has been a growing number of foreign acquisitions of American farmland, though a lack of federal regulation is of growing concern for some policymakers. Foreign landholders own approximately 2% of all land within the United States. China owns about 227,336 acres of U.S. land as of 2023 (National Agricultural Law Center 2025). Although seemingly small, the proximity of Chinese land holdings is seemingly all near the U.S. Army bases and other critical infrastructure. This has created a high amount of anxiety among national security officials. Pre-existing tensions with China and weaknesses in our federal systems, particularly in the Agricultural Foreign Investment Disclosure Act (AFIDA) has left states vulnerable to legal challenges from foreign adversaries who disagree with regulations imposed, and has left the federal government completely reliant on state regulations for national security.

This paper's analysis aims to investigate the factors motivating China's acquisition of American farmland and examine the limitations of the current regulatory framework, as well as its implications for the United States' national security. We also recognize China's lack of arable farmland, but employ a qualitative analysis in order to understand their motivations behind purchasing land near U.S. Army installations. As stated above, we will especially explore the weaknesses of the current regulatory institutions and the implications these weaknesses have on the United States' national security. This paper hypothesizes that China is purchasing land in close proximity to army bases to commit espionage. Furthermore, proposing the implementation of federal regulation preventing foreign agricultural holdings within a 25-mile proximity to military bases, and implementation of the Foreign Agricultural Restriction to Maintain Local Agriculture and National Defence ("Farmland") Act.

Conflict Background–

In the United States, foreign entities own approximately 45 million acres of agricultural land, representing more than 16 countries. This acreage accounts for approximately two percent of the United States' total land. Canada is the largest holder, owning just under half of this land (or 0.97%). Other major countries include the Netherlands (0.37%), the United Kingdom (0.19%), Germany (0.17%), and Portugal (0.11%), all other countries owning 0.1% or less.

Foreign entities have been increasingly purchasing agricultural land in the United States (Hettinger 2022). At present, states are given complete sovereignty over land ownership laws. The Agricultural Foreign Investment Disclosure Act (AFIDA) monitors foreign investments, mandating that foreign entities are “required” to disclose information regarding transactions and investments. This institution is meant to protect against national security threats while still allowing the states autonomy. However, the lack of teeth-bearing policies surrounding the proximity to military bases and other critical infrastructure leaves room for concern in the eyes of policymakers. A lack of proximity-based regulations is not the only reason for concern as the United States Government Accountability Office (GAO) found AFIDA to have weak and highly inaccurate data collection processes. Further solidifying national security concerns.

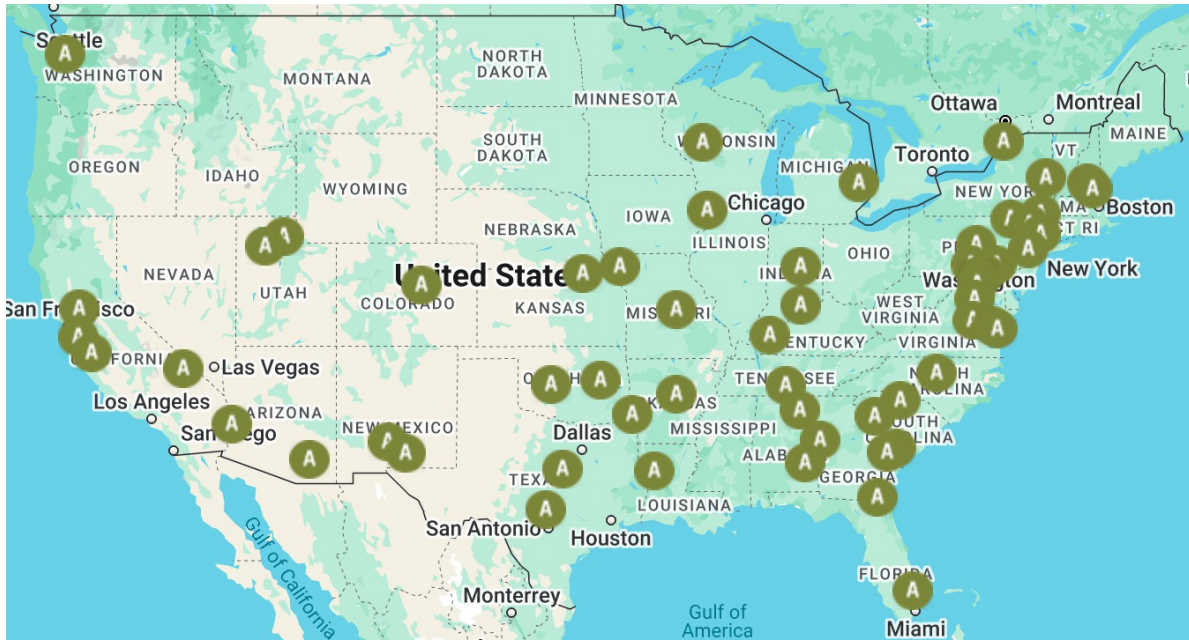
Allowing state control over foreign land holdings is logical, but has quite a few weaknesses. Notably, military bases are not state property, but federal property. Therefore, regulation of these areas should be determined at the federal level, not the state level. Worsening matters is the poorly maintained AFIDA. They are responsible for reporting the data they collect to the United States Department of Agriculture (USDA) who then shares this data with the Committee on Foreign Investment in the United States (CFIUS) and the Department of Defense (DOD) (both committees are responsible for ascertaining security threats). However, the poor data collection processes of AFIDA inhibits the abilities of all three of these institutions. This

leaves our country vulnerable to security threats and undermines the idea that the combination of state laws and federal institutions can proficiently protect federal property. There have been efforts to reinforce the strength of AFIDA's data collection processes in Congress, but on the other hand, there has not been any attempt to implement these ideas, likely due to underfunding.

China's Land-owning Background–

There are many Chinese landholders, the largest being: Smithfield Foods, Sun's Group, and Walton International Group. Both Sun's Group and Walton International are private enterprises, so it is unknown whether they have a Communist Party Cell. Smithfield Foods, owned by the WH Group, is the largest pork producer and distributor in the country. Additionally, they are a public enterprise, making it more likely that there will be a communist party cell within the company. The presence of these Communist Party cells is highly controversial because members could place party interests above all others.

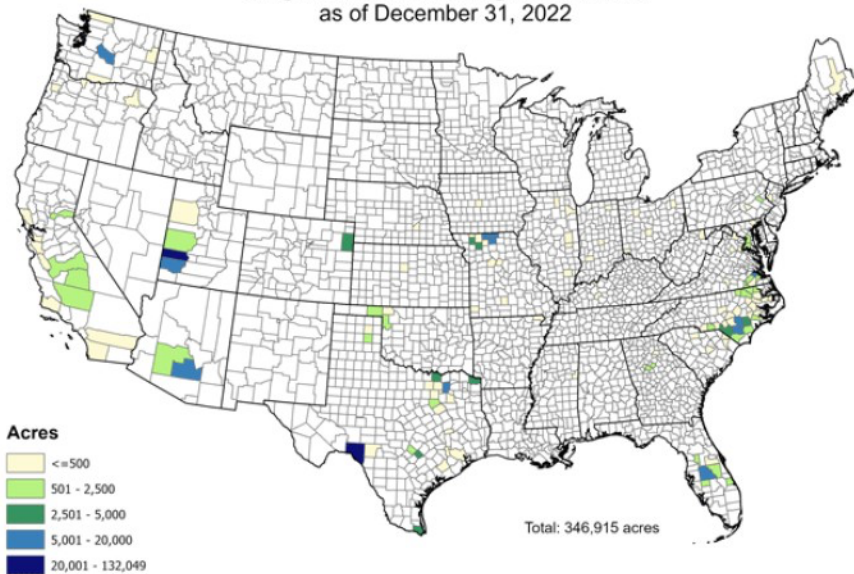
When viewing two maps (provided below), one provided by TodaysMilitary.com, which shows the current location of all U.S. Army bases, and the other provided by the U.S. Department of Agriculture, which shows all Chinese-owned farmland. It can be observed that almost all Chinese-owned land is within proximity to these bases. In all cases except for Maine, the acreage owned by China is in the same state and proximity to the bases. Below is a map of all current U.S. Army bases and the county concentration of Chinese holdings.



(Today's Military 2025)

Figure 4

County Concentration of Chinese Holdings
of Agricultural and Non-Agricultural Land
as of December 31, 2022



(U.S. Department of Agriculture 2022, 17)

China's Motives: A Comprehensive Literature Review

Some scholars view the Chinese purchases of U.S. land positively. For example, Kenneth Rosen (et al.) examined various motivations and responses projected of Chinese investors in his study, *BREAKING GROUND: Chinese Investment in U.S. Real Estate*. The authors acknowledge concerns of national security, but they further examine the impacts of this land ownership on the local economies with which they exist, as well as the potential effect on jobs. Overall, they found positive motivations from the Chinese landowners. Including, but not limited to; portfolio diversification of investors, wealth, immigration, and education. Finding little to no negative motivations from these investors.

Similarly, Laura Greenwood's report also found positive motivations from Chinese landowners in her report, *China's Interests in US Agriculture: Augmenting Food Security through Investment Abroad*. She argued that China's farmland purchases have the primary intention of bolstering national food security as well as creating positive channels of investment abroad. Rather than the common idea that they seek to undermine US national security. Greenwood highlights China's large population and the limited access to arable land within their own borders. Thus, necessitating the need to acquire foreign agricultural land to secure and stabilize domestic food supplies, and to mitigate the risks associated with their own depletion of arable land due to domestic climate change from manufacturing industries. Studies defending Chinese landholdings focus on the economic benefits provided by these investments. However, there are also studies which focus on the risks associated with Chinese investors. Such as Bryan Burack's, *China's Land Grab: The Sale of U.S. Real Estate to Foreign Adversaries Threatens National Security*. The author of this paper emphasizes the various security threats from these transactions, as does this one, but where his analysis differs is his emphasis on the unknown. He states that the U.S. government is unaware of the total acreage owned by Chinese entities due to

the lack of a comprehensive federal system tasked with tracking this. Another way in which his paper's findings support this one is his mention of Chen Tianqiao, a Chinese billionaire and Chinese Communist Party member, who is also the second-largest foreign landholder. He theorizes that their motivations could fall under espionage, especially if near critical infrastructure (Burack 2024).

Burack's paper is not the only one concerned with national security. Mark Erie's *Property as National Security* raises similar concerns. "The location of the land close to the base is particularly convenient for monitoring air traffic flows in and out of the base, among other security-related concerns" (Erie 2024). Here, he is asserting that proximity to sensitive infrastructure presents key access points for foreign adversaries to conduct surveillance operations. Together, these scholars' arguments highlight the level of concern associated with foreign land holdings near army bases. Moreover, it is important to note that Matthew Erie's claim differs from Burack's because it is based on the Heartland Theory. Claiming that America's fear of losing the "heartland" (a major source of food security and agriculture in America) and its "American Identity" is more frightening for those in power than the actual idea of Chinese espionage. Furthermore, he claimed that there was little evidence supporting the claim that the Chinese plan to disturb the United States by buying real estate, but rather this is an imaginary threat.

Conclusion

In reviewing the extent of both state and federal regulation of foreign land ownership, as well as scholarly authors' opinions on Chinese land ownership. It is clear that there is an overwhelmingly negative outlook regarding their motives. However, this does not explicitly support the hypothesis. We conclude that these views have developed from distrust in our own

institutions rather than from evidence-based proof that Chinese entities are attempting to commit espionage. Therefore, the theory that Chinese investors are purchasing land to commit espionage null and void.

Despite there being little evidence to determine if the hypothesis is supported, the proposition of proximity-based regulations and implementation of the Farmland Act would bolster confidence in U.S. security regarding scholarly concerns with agricultural holdings (Burack 2024; Erie 2024). Although this paper's theory was nullified due to a lack of access to information, further research can be conducted on Erie's "Heartland Theory" both on why it exists and how to mitigate it.

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