

Union College

Union | Digital Works

Honors Theses

Student Work

6-2021

An Analysis of China's Claims and Their Development of Artificial Islands in the South China Sea; Are They One Step Closer to Becoming a World Power?

John Pugliese

Union College - Schenectady, NY

Follow this and additional works at: <https://digitalworks.union.edu/theses>



Part of the [International Relations Commons](#)

Recommended Citation

Pugliese, John, "An Analysis of China's Claims and Their Development of Artificial Islands in the South China Sea; Are They One Step Closer to Becoming a World Power?" (2021). *Honors Theses*. 2522.

<https://digitalworks.union.edu/theses/2522>

This Open Access is brought to you for free and open access by the Student Work at Union | Digital Works. It has been accepted for inclusion in Honors Theses by an authorized administrator of Union | Digital Works. For more information, please contact digitalworks@union.edu.

An Analysis of China's Claims and Their Development of
Artificial Islands in the South China Sea;
Are They One Step Closer to Becoming a World Power?

By

John (Jack) Pugliese

Submitted in partial fulfillment of the requirements for Honors in the
Department of Political Science

UNION COLLEGE

June 2021

ABSTRACT

PUGLIESE, JOHN China Foreign Policy: A study of international affairs. Departments
Political Science, June 2021.

ADVISOR: Professor David Siegel

This thesis explores the complex foreign conflict occurring in the South China Sea. There are two primary theories utilized to study this conflict, realism, and liberalism. The realism study involves both offensive and defensive realism. While the study of liberalism has a strong focus on international law. These theories are then applied to how China has been constructing artificial islands in the South China Sea.

The first chapter focuses on how surrounding countries have reacted to China's island building, particularly the Philippines. This includes an analysis of an international law case between the two countries, where the Philippines accused China of violating multiple international laws with their island creation. While the second chapter details how this conflict has impacted the relationship between China and the United States. This analysis covers both countries' perspectives on the matter and where the issue is headed in the future. Ultimately, the main argument for this thesis is that China's actions in the South China Sea make them a regional power that is headed towards a world power status.

Table of Contents

<i>Chapter I: Introduction.....</i>	<i>4</i>
<i>Chapter II: Literature Review.....</i>	<i>9</i>
<i>Chapter III: China's Claims & The Role of International Law.....</i>	<i>24</i>
<i>Chapter IV: China and the United States Complex Relationship.....</i>	<i>46</i>
<i>Chapter V: Conclusion.....</i>	<i>68</i>
<i>Works Cited.....</i>	<i>74</i>

Chapter I: Introduction

There are two ships on a direct collision course near the Gaven Reef in the South China Sea; one ship represents the United States, the other China. Should these ships collide, the possibility of World War Three is created, a swift and intense escalation could end in a catastrophic outcome. The United States ship performs a maneuver that avoids the collision; the two countries and a potential war were separated by 45 yards in the South China Sea (Martinez). The encounter stemmed from the United States conducting a freedom of navigation mission in the sea, coming close to one of China's many artificial islands. China expressed several warning messages over the radio, yet the United States claims they were within their rights under international law. Scenarios like this are not uncommon in the South China Sea, as the two countries battle for regional dominance and fulfilling their interests. Over the past decade, China has begun constructing artificial islands in the South China Sea, creating military bases in previous coral reefs. Their actions have caught the international community's attention, particularly the United States, who have publicly shown their discontent with China's actions.

On China's end, controlling the South China Sea gives them strategic regional leverage, allowing them to dominate neighboring powers while also taking advantage of the sea's resources. Their claims in the sea date back to the early 20th century, defying current international law. Other countries in the region have expressed extreme concern with China's island-building, as they have infringed upon their sovereignty and threatened them with shows of force. China's rapidly expanding military has allowed them to facilitate their interests in the sea, using new technologies to create the islands and make military bases in the strategic areas. The islands will enable them to extend their reach in the sea and tap into the extensive natural

resources that include gas and oil. China does not seem concerned with others' perceptions and has continued to build and expand further.

While the United States has long been the world's self-proclaimed "peacekeeper," extending their military to all corners of the world; making China's actions unacceptable from their standpoint. They have continuously run freedom of navigation missions in the sea to maintain their presence, to China's dismay. The government has been firm in its stance on protecting its interests in the sea, particularly its numerous allies. The United States has several key allies in the region, including contested Taiwan, the Philippines, Japan, and South Korea. These countries give the United States strategic military locations that help deter countries like China and North Korea. From the United States perspective, losing the South China Sea could be a dangerous step towards China taking over the region and expanding further. They have been adamant about continuing these missions and surveilling China's island-building.

The purpose of this paper is to study China's nine-dash claim and artificial island-building, arguing that their actions in the South China Sea represent another step towards them becoming a rising global power. The age of globalism has allowed China to rapidly develop its economy and capitalize on the world's largest population. Their exceptional economic growth has translated into a heavy investment into their military, transforming them into a rising global power. This unprecedented growth has given them more confidence in the international space, as they have made aggressive claims and ignored international law. This has caused them to ignore treaties they have ratified along with rulings from international bodies. There will be multiple sections of this paper that will provide a comprehensive analysis of how China has facilitated its claims and the international community's response. This is an ongoing conflict that has recently

escalated, making the topic a relevant one to understand both analytically and theoretically. The ramifications go beyond just the United States and China, making this a global issue.

This topic is essential to study as it provides a real-world example of how a country emerges into a world power. The case of China offers a blueprint for how a country can take advantage of free trade and an interconnected international system to rise to power. China's actions in the South China Sea represent them attempting to assert regional control before expanding outward. The topic has also not received extensive media coverage in the west, yet it is essential for the United States foreign policy future. The South China Sea is one of the world's most influential bodies in terms of trade and global interest. Thus, China's claims are necessary to comprehend and analyze where the balance of power is headed in the region.

The literature review will analyze both realism and liberalism, setting up a discussion of how both schools of thought play a role in China's situation in the South China Sea. The realism section will mainly focus on offensive and defensive realism. The offensive realism section will delve into the theory's main tenets, particularly covering John Mearsheimer's work, looking at how military capability plays a role in relations between states. In contrast, the defensive realism section will primarily analyze Kenneth Waltz's work, which focuses on state security and creating deterrents through weapons. The purpose of introducing realism is to see how an emerging power like China interacts with the international system. The liberalism section will have a particular focus on international law along with how states cooperate. This includes an emphasis on how the international system is not anarchical and how states form alliances or unions. Liberalism plays a role in how China conducts its actions in the South China Sea by defying neighboring states and international law. The literature review will also critique both schools of thought's flaws, as their shortcomings are essential for understanding China's present

situation. Finally, the ending of this literature review will argue that China's situation is a culmination of realism and liberalism that has been exacerbated by globalism. This section provides the necessary context for the preceding chapters by grounding analysis on theory.

The first chapter will provide extensive insight into China's claims and how surrounding countries have reacted and impacted their actions. The background section will delve into the history of China's claims and how they have evolved over the past century. This section will also include an analysis of China's intentions in the South China Sea, both politically and economically. It will also discuss the islands and how they are viewed under international law. This will then transition into a landmark international law case between China and the Philippines. This section will introduce the Philippines viewpoint, accounting for legal arguments and how they have been adversely affected by China's island-building. China's argument will also be interpreted, providing well-rounded insight into their rebuke of the Philippines claims. A portion of this section will also review a temporary tribunal's decision in the matter and the particular international law used to decide the case. The following section will then discuss China's reaction to the ruling and the takeaways from how they conducted their operations in the South China Sea post-decision. The recent developments section will provide a necessary conclusion for the chapter, conveying that neighboring countries are still highly displeased with China's actions. The overall aim is to lay out China's claims and how the conflict manifested with other countries in the region.

The second chapter will analyze how the South China sea's conflict has impacted the United States and China relationship, leading to its current tense state. The background section will analyze the two countries' relationships over time, focusing on impactful historical events. This section will also detail how China rose to power and the impact that it has had on its current

operations. The next section will analyze the two countries' positions on each other regarding the South China Sea. China's section will cover how they have grown their navy to act as a deterrent against the United States. The United States section will analyze statements from prominent politicians and military leaders, shedding light on how they plan to deal with China's aggression. This includes a peaceful resolution section and forceful resolution section, providing a comprehensive view of what options the United States has in dealing with China. The final sections will focus on the modern-day conflict, including how the two countries have encountered each other in the sea. This will shed light on how each country engages with international law and carries out its interests. Finally, the end of the chapter will discuss how the Biden administration will impact this ongoing conflict. Since he has assumed office, the issue has continued to evolve, and several key events have already shaped how the two countries will interact over the next four years. The end of the chapter will also include how the situation will progress in the future, using the analysis to predict outcomes.

The conclusion of this paper will wrap the analysis discussed in the chapters and reinforce the importance of this topic. This includes summarizing each section of the paper to highlight the essential takeaways. It will also reflect on the lessons and limitations of the research, entailing where this topic is headed in the future. The hope is to provide a comprehensive picture of the South China Sea conflict and the impact it has had on a plethora of countries. The reader should have a thorough understanding of China's intentions in the sea and how the conflict is important on a global scale. The aim is to lay out the facts and events that pertain to this issue in an impartial manner, allowing the reader to decide how this conflict should play out in the South China Sea.

Chapter II: Literature Review

Introduction:

The international relations debate has focused on statehood and sovereignty since the conception of borders and distinct territories. The debate has manifested into two primary schools of thinking, realism, and liberalism. Both theories have evolved and produced different schools of thought. This literature review focuses on reviewing these two systems and setting up the necessary context for analyzing China's expansion of power in the South China Sea. The realism section will analyze offensive and defensive realism; the two schools of thought involve how power is balanced and distributed throughout the international system. The liberalism section will have a strong focus on international law and its role with powerful states. This section will also analyze how the ideas of liberalism have been prevalent in the era of globalization. Introducing these theories is fundamental for understanding how China has risen to power and how larger nations react to power shifts. The theories' analysis will also examine flaws and gaps on both sides of the spectrum, which will add a necessary critique to what is missing in analyzing China's particular case. The conclusion of this review will contrast the two systems and ultimately argue that China's situation is the culmination of realism and liberalism in an ever-changing international power structure. It will also provide examples of where the theories apply to the South China Sea's current situation.

Realism:

Realism has been fundamental in shaping the discourse of power relations between states, providing insight into how actors pursue power. The origins of realism can be traced back to some of the earliest recorded writings; however, the international relations theory was not

formalized until the 20th century. Hans Morgenthau developed the theory after WW2, as he attempted to grapple with how states interact at the international level. In his theory, there was a particular focus on morality, which argued that states are more interested in gaining individual power than working together. An essential idea in realist theory is that smaller states are at the mercy of larger states, as they often cannot defend themselves or their interests. Thus, there is an incentive to grow and expand influence, especially in an international system that does not cooperate.

Defensive Realism:

Kenneth Waltz evolved the theory by creating defensive realism, which argues that the international system's anarchic nature incentivizes states to maintain and moderate passive policies to maintain security. Waltz was a neorealist and created the theory to conceptualize how states maintain security in an anarchical system of governance. In *Theory of International Politics*, Kenneth Waltz analyzes defensive realism's primary features and how they defy several aspects of offensive realism. He claims that powerful states stay vigilant in maintaining the balance of power in the international system. He also argues that states who expand too much are often vulnerable and destined to fail. (Moravcsik & Waltz, 522). Waltz also emphasizes the security of the state and protecting pre-existing assets such as borders or resources. Powerful states that seek to expand rather than maintain often face states that will collate together to protect their interests from the aggressor. His essential argument is that the perceived incentives states seek in the offensive realism model are exaggerated and that internal security trumps expansion.

Kenneth Waltz also wrote extensively on how war plays out in an international realist system. In *The Origins of War in Neorealist Theory*, he documents state actors' roles and how conflict arises. Waltz argues that states are responsible for their security in the anarchical system

and must secure the threats around them (Waltz, 619). The acceleration of a state's security often causes an arms race or a response by other nations that typically ends in conflict. States with a weaker means of security will often succumb to larger powers; otherwise, they risk losing their sovereignty. Waltz also raises the security dilemma idea, arguing that states that raise their security measures often cause surrounding powers to feel insecure (Waltz, 619). The security dilemma is not a constant, as it can vary in terms of the state's incentive to cooperate or act competitively (Glaser, 171). Another aspect of the security dilemma is that states are uncertain about other state's future intentions. The anarchical international system is in a constant flux state (Taliferro, 145). Thus, a state's security is the essence of survival, as conditions around them could change instantly.

States that form alliances to enhance their security often respond to their adversaries' coalitions by further enhancing their security measures. Waltz also argues that realism explains the endless cycle of wars, as states are conditioned to engage in conflict due to the international system's structure. Specifically, he notes that hot wars are a product of cold wars, and cold wars directly result from the anarchical system (Waltz, 620). States tend to engage in conflict when their sovereignty is in question or when there are active threats against their interests. In times of conflict, alliances symbolize the international system's power dynamics; as Waltz argues that weaker powers in an alliance offer little and are at the discretion of powerful states. In a relationship such as the one Waltz describes, the powerful states can discipline their allies or leverage them to their advantage. This dynamic effectively demonstrates the realist view on the international system, that even when states cooperate, the powerful state is still in full control.

Neorealists also emphasize that miscalculation is essential for understanding how conflict can be avoided in an anarchical state. If a powerful state miscalculates its move towards another

state, conflict is likely to unfold through a series of events (Waltz, 623). Waltz argues that powerful states have to emphasize calculated responses in order for stability in the international system. If a state acts irrationally, surrounding nations will respond with miscalculations or overcommitment that could create catastrophic conflict (Ashley, 263). The idea of miscalculation represents the dangers of non-cooperation; when states are intent on their interest, the likelihood of conflict increases. Waltz also notes that peace arises when states avoid using force to achieve their objectives (Waltz, 624). If a state avoids violating another nation's sovereignty or works diplomatically to achieve its interests, conflict is often avoided. This aspect makes the military strategy of a state essential; if the leader of a powerful nation is aggressive, the balance of power is threatened at a global scale.

The emergence of nuclear weapons profoundly evolved defensive realism, changing how states interact with each other both politically and militarily. Nuclear weapons are the greatest form of a deterrent from conflict, as the use of them guarantees catastrophic outcomes. Waltz notes that the price of defeat is at an all-time high due to the creation of nuclear weapons. Previously, states would be more willing to engage in conflict, as they only risked losing troops and resources. Now, the use of nuclear weapons would wipe out entire populations and cause a permanent alteration to the human way of life (Waltz, 625). These weapons have also created an incentive for powerful states to regulate who has access to developing nuclear technology. In theory, if every state had nuclear weapons, the balance of power would completely change from its current state. The emergence of nuclear weapons has also disincentivized states from attempting large conquests. This aspect has impacted modern states pursuing expansion or new military objectives, as the threat of nuclear war causes them to act calculated. Waltz also argues that the age of nuclear weapons has made defensive realism even more prevalent, as state

security is at a premium. States have responded to this by increasing military spending on defense mechanisms and other technology to combat nuclear weapons.

An important aspect of defensive realism is its impact domestically on nations; defensive realists argue that various conditions dictate the extent of a state's security. One of the primary authors who argues this notion is Jeffery Taliferro; he builds on Waltz's theory and writes that countries are not always in a constant state of fear. He argues that this idea is contingent on the defense mechanisms a state has in place. For example, the United States' geographic separation from Europe during the 20th century allowed them to grow their economy and other bureaucracies without the constant fear of land invasion (Taliferro, 140). Taliferro does make it clear that there are instances where states have to make their military security a priority, especially if they lack natural defense barriers or allies in their region. The distinction between this aspect of defensive realism and offensive realism is that states are not in constant fear and that their security is contingent on a certain state's surroundings.

Offensive Realism:

The theory of offensive realism was manifested in response to the theory of defensive realism, primarily claiming that the international system's anarchic nature causes powerful states to pursue aggressive behavior to maximize expansion and power share. The main scholar behind the concept is John Mearsheimer, who is classified as a neorealist. In *The Tragedy of Great Power Politics*, Mearsheimer argues that powerful states have the most control over the international system, which is determined primarily by military capability. He notes that a state does not have to defeat the most powerful state to meet this qualification but does need to leave them seriously damaged (Mearsheimer, 50). The idea of the anarchical system provides incentives for great powers to gain power and reach hegemony. Since there is no overarching

system of government with enforcement mechanisms, states make decisions on their own accord. This anarchical state causes powerful nations to fear each other, as it is hard to deter each other and have any form of certainty (Mearsheimer, 58).

Offensive realism recognizes the idea of allies, but unlike liberalism, does not see this as cooperation but rather a means of survival. Mearsheimer argues, however, that the lack of trust in the international system makes alliances only temporary. The conditions of tomorrow could easily foil and a long-standing alliance (Mearsheimer, 110). Alliances are ineffective, as there is always a desire to conquer; ideally, survival would be guaranteed if a state conquered the whole world (Wright, 40). Since alliances are ineffective, states seek to maximize their power share at the expense of others as a means of survival.

Powerful states take advantage of the anarchical system by expanding their interests and objectives to new areas, as they are never satisfied with their current state. The international system's weakness allows powerful states to expand, making it difficult for their aggression to be suppressed (Steinsson, 3). Mearsheimer argues that powerful states seek to optimize their share of influence without concern for surrounding nations. This is because power is the greatest means of survival for a country, according to offensive realism. A strong example that captures the essence of Mearsheimer's argument is how the Nazi Party expanded during WW2. They saw an opportunity to shift the balance of power by taking advantage of weak surrounding countries and an anarchical international system. They were never satisfied with their share of power, causing them to face off with countries with a larger capability. This example connects back to Mearsheimer's qualification for a powerful state, as the Nazis did leave countries such as the United States and the Soviet Union heavily damaged.

Another important feature of offensive realism is its critique of international law and the lack of enforcement mechanisms. Stephen Krasner writes that powerful states can change the rules and structures at their discretion (Fels, 2012). States with more power can always be on the offensive and rule on their own accord. This is why Krasner argues that the international structure is much weaker than any domestic structure (Krasner, 2009). There is no incentive for a powerful state to cooperate with any international body, as they cannot be held accountable. When considering treaties or agreements between states, this is important to understand as powerful ones hold the leverage. Often, they will not even ratify or support international agreements. The fact that the international system structure is anarchical makes it difficult for states to reach any form of consensus. This notion is especially true considering the lack of trust between large powers (Kocs, 542). Thus, international law is not effective if powerful states do not cooperate.

The other intrinsic facets of offensive realism often lie in military capability and how countries express their power. Mearsheimer claims that a navy must first control its sea to project power against a rival. He clarifies that they do not have to control the whole sea, rather just their particular interest areas. If they cannot control ships' flow in their targeted area, they cannot control the sea (Mearsheimer, 226). Mearsheimer also introduces the limitations of a powerful naval force, citing that they must have the capability to invade the homeland of their rival to be effective. If a state can only project power through their navy, they are limited in how much power they can gain.

Additionally, in Mearsheimer's discussion of the different forms of offensive capability, he responds to Waltz's views on nuclear weapons. He concedes that the likelihood of great-power conflict has declined; he argues that war is still a possibility, citing the Cold War

between the Soviet Union and the United States, as they engaged in a security conflict despite the threat of nuclear weapons (Mearsheimer, 220). The takeaway from this argument is that states, even in modern times, still engage in offensive realism; Mearsheimer lays out how powerful nations take calculated risks to expand.

Realism in Present Day:

When regarding the modern context, it is worth reviewing and refining both of these theories. They each shed light on how states interact and engage in the anarchical international system yet have their shortcomings in terms of effectiveness in maintaining powerful statehood status or escalating to that position. The issue of realism is not black and white to categorize as an offensive or defensive theory. One theory that provides a decent medium between the two schools of thought is the offense-defense theory. The theory's main tenets argue that international conflict is more likely when the offense has the advantage. At the same time, stability and peace are more likely when the defense has the upper hand (Lynn-Jones, 661). The other essential element for understanding this theory is that states maximize their security by effectively using their resources. This can be from an offensive and defensive standpoint, emphasizing that the international system is situational and fluent. The balance determines the number of resources a state should invest in the offense to offset the adversary's defense or vice versa. This theory fits well into the modern context as it highlights how states have evaluated their options when making military decisions. Because of nuclear weapons, powerful states have been more conscious of their military presence, increasing security measures and spending more to keep up with surrounding powers. Overall, this introduction of realist theories is crucial for providing background into how the international system functions, demonstrating one school of thought

that emphasizes anarchy and military capability that favors powerful states. This section will help study China and the United States' power dynamic in the South China Sea.

Liberalism:

Liberalism takes a different approach to the international system than realism, focusing on diplomacy and cooperation. Particularly, the school of thought values international institutions that regulate and enforce the order between states. These organizations come in different forms, such as the United Nations and the International Court of Justice. On regional or individual levels, coalitions and treaties between nations are encouraged. There is also an economic aspect, as free trade is seen as a relations stabilizer, promoting efficient commerce and acting as a mutual benefit among states. Most liberal thinkers see realism as an aggressive theory that emphasizes warfare and security dilemmas rather than cooperation.

Perhaps the most touted idea in liberalism is interdependence; for both economic and cultural ideas, this concept has exploded during the era of globalization. Solomon Polachek writes extensively about this idea of interdependence, arguing that a cooperative trade system makes every country better off. He argues that countries that isolate themselves from others suffer economically, as trade is essential. In a direct rebuttal to neo-realists, he argues that conflict is costly and can cause trade losses (Polachek, 406). This argument is in line with the liberalism theory, as cooperation prevents conflict. The incentive for bigger states to follow this model is that their trade gains will massively increase. If a country such as the United States were to isolate itself, it would lose a large sector of its economy, which is from importing. The idea of interdependence highlights a mutually beneficial relationship that can benefit both large and small states. This detail is also a difference between realism and liberalism, as in this system, small states can benefit.

One of the more influential thinkers in this school of thought is Andrew Moravcsik. He analyzes several types of liberalism, and the role globalization has played in carrying out the theory. Ideational liberalism is primarily grounded in state behavior emphasizing the power of social identities and groups. From a foreign policy standpoint, the state's actions will be motivated by realizing social views and borders, institutions, and socioeconomic regulation. This means that social actors and sentiment influence states. This concept of social actors has been exacerbated by globalism, as exchanges of ideas and different cultures have boomed (Moravcsik, 3). This theory could play an important role in regions where social identity is hegemonic, facilitating trade agreements or other forms of treaties. The argument also makes the case that the core ideas of liberalism have transcended into globalism, as states have worked together both economically and politically. While liberalism recognizes there is no world governing body, the theory conveys that cooperation between states is possible.

The primary scholars behind liberalism see several shortcomings with the basic tenets of realism, harping how liberalism is more practical in a modern global climate. Robert Keohane, in *Power and Governance in a Partially Globalized World*, discusses the prudent nature of liberalism and emphasizes the benefits of an open system that promotes exchange and diplomacy. Keohane does see the fact that states are individual actors with their interests yet sees relations and diplomacy as a way to maximize returns from an economic and cultural exchange standpoint (Keohane, 2). From an empirical standpoint, imagine two states with separate resources and means of capital. State A has a resource that makes a particular product when combined with the resource State B has. However, if State A and State B don't cooperate, then neither benefit from the other's resources; liberals argue that is the power of a mutually beneficial global system.

Keohane also blames powerful states who ignore cooperation and focus on their interests for causing unrest and tension. Arguing that if powerful states cooperated, the entire system would be better off, and that war would be less likely, and resources could be better put toward areas of need in individual states (Keohane, 3). He also argues that liberalism in the age of globalism can help solve global disruptors, such as climate change or natural disasters. If states can cooperate, as liberals claim, then solving these problems is more realistic than a scenario where countries isolate themselves. The other benefit that comes with liberalism is the idea of international institutions that promote these levels of diplomacy or relief to countries in need (Keohane, 3). This type of cooperation promotes a better functioning global system that serves everyone's needs rather than powerful countries alone.

The Role of International Law in Liberalism:

Liberalism has an immense focus on the role of international law, as it promotes unity and balance in the global system; several bodies rule on a variety of different matters. These arose during the 20th century to create order between states, reduce conflict and promote free trade. Different bodies make up this system, such as regional coalitions, international courts, and agreements between states at an individual level. Perhaps the greatest challenge that these bodies have faced has been enforcement power and cooperation from powerful states. In *A Liberal Theory of International Law*, Anne-Marie Slaughter discusses the relationship between liberalism and international law and advances much of Andrew Moravcsik's analysis.

The age of globalism has impacted states and has also impacted the role of multinational corporations in the international system. These corporations have become infamous for taking advantage of other states and lack regulation. Several non-governmental organizations have attempted to shift this narrative, working with international bodies to create regulations and

agreements (Slaughter, 240). Thus, these laws governing these corporations have essentially removed the role of individual states. Liberals argue that this proves the international system is not complete anarchy, rather a system of cooperation and, most importantly, compromise from a regulation standpoint.

Liberals also argue that international law's role is not to replace statehood but rather to improve and innovate the international system. This body of law has helped improve human rights and has intervened with states that are violating those laws. These bodies are strengthened when powerful states abide by and respect rulings and interventions. For example, the Nuremberg trials after World War Two were a powerful symbol of liberalism and when international law was effective. The allied powers working together to pursue justice against the Nazis showed the power of joining state operations and proved there can be accountability at the state level.

International law has provided a way to settle various disputes between states, enforcing laws that states have previously ratified. States that have ratified the UN Charter will often settle disputes in temporary councils. A tribunal hears both sides and grants a ruling based on the evidence and its application to international law (Collier, 4). It is worth noting that this is primarily effective between smaller states, as large powers often ignore rulings or do not even participate in the proceedings. Thus, accountability primarily applies to smaller states who have no choice but to accept the ruling, otherwise risking foreign intervention. These tribunals also allow smaller countries to convey to the rest of the international community how a powerful state is acting irrationally. Although there might not be a tangible outcome, the optics of bringing a case in front of a tribunal are significant (Collier, 43).

One of the central criticisms of international law is that it reduces state sovereignty, and in some cases, it violates the basic tenets of Westphalian Sovereignty. In *Distributive Justice and the Criticism of International Law*, Terry Nardin primarily argues that powerful states hesitate to participate in this new world order out of concern of relinquishing their governance (Nardin, 2). The idea of the principle of non-intervention dissipating is one that most states can't seem to get behind. The paradox is larger states have no problem intervening in smaller states' matters yet are insistent on maintaining their own and not giving up power. This is one of the many reasons why realists tend to criticize both liberalism and international law. Overall, liberalism counters much of what realists see as the international system's standard, preaching unity and working together to pursue common interests rather than isolation and deterrents.

Analysis/Conclusion:

These concepts have provided this paper with an essential background into how states participate in the international system. Framing these theories with China's current situation provides interesting insights into how a country is attempting to control a contested area. John Mearsheimer's views on naval forces and their role in offensive realism are relevant, as he notes that powerful naval force does not necessarily translate to expansion (Mearsheimer, 226). If China can establish regional dominance, it will need to improve other military aspects to continue expansion. China is clashing with the United States, who as a current world power, emphasizes the necessity to maintain that status through a strong global presence. China is seeking to expand, but a more powerful country is in the way, creating a security dilemma in the South China Sea.

The views from defensive realism also correlate with China's current position in the South China Sea, as security has become the main focus. Kenneth Waltz's view regarding

nuclear weapons and defensive realism is also important when considering the South China Sea's current conflict (Waltz, 625). Both the United States and China have nuclear capability, which could create a deterrent against the two parties engaging in a major conflict. This capability could explain why both countries have been cautious in engaging in the South China Sea, as the fallout from even a minor conflict could be catastrophic. Jeffery Taliferro's view on the role security plays economically also fits with China's current state (Taliferro, 140). They have created economic prosperity, which has translated into an increase in security measures.

The role of liberalism is also present in the current conflict in the South China Sea, as international law and treaties have plagued China's efforts. Regionally, China is surrounded by smaller powers that rely on international law to confront them, bringing the global stage. The case discussed in the next chapter sheds light on how international law is utilized and the accountability that comes when a powerful state is challenged. The Association of Southeast Asian Nations (ASEAN) also demonstrates a core aspect of liberalism, as smaller states have collaborated to express their grievances with China's actions.

China's ratification of the United Nations Convention on the Law of the Sea (UNCLOS) provides an interesting instance of the two theories working at once. The ratification of this agreement demonstrates an instance of liberalism, as China worked with other countries to agree on the laws of the sea. However, their recent actions defying UNCLOS convey a realist view of the international system. Their emergence of a regional power has allowed them to act in their interests rather than cooperate with surrounding states. This scenario also connects well with Mearsheimer's views on allies, as conditions change, and so do intentions (Mearsheimer, 110). China has moved past cooperating with surrounding nations and sees their South China Sea objectives as more important for their interests.

The following chapters will provide more insight into how these concepts fit into the South China Sea's current conflict. There will also be a focus on globalism and how that has impacted China's situation, as there is an evident correlation between China's rapid economic growth and its military expansion. The main takeaway from this section is that this conflict is a culmination of realist and liberal theories, as many factors have led to the issue at hand. The balance of power in the region is changing, and this chapter provides theoretical insight into the conditions that cause this evolution.

Chapter III: China's Claims & The Role of International Law

Introduction:

Over the past ten years, China's actions in the South China Sea demonstrate a rather aggressive push to expand power and influence in the region. China has pumped sand onto reefs in the region, creating military bases in strategic areas of the sea. These provocative actions have sparked controversy from neighboring countries along with the United States. China grounds its claims in what is known as the nine-dashed line, asserting that they have territory beyond what is granted under the United Nations Conventions on the Sea (UNCLOS). This chapter aims to analyze China's recent actions through the lens of international law, arguing that their efforts represent a shift in foreign policy and particularly an attitude change towards the international community. The first section will analyze China's original claim with the nine-dashed line in detail, including the origination and how crucial it has been in China's recent defense of their actions. This section will also provide a background into the South China Sea, including the sea's geopolitical and economic value. The next section will then transition into a marquee international law case brought to the Tribunal by the Philippines. A case that shed light on China's actions, along with how surrounding nations have been impacted. This section's focus will be on both countries and analyze the award and China's response. Finally, this chapter will discuss how China's defiance of the Tribunal's ruling represents a shift in international attitude. The overall aim is to demonstrate that China is failing to cooperate with the international community; instead, making profound claims and asserting dominance over a crucial body of water.

China's Claim:

China's South China Sea claims rest on a historical entitlement that dates back to 1947 when they formed the original nine-dashed line (See Figure 1). After WW2, once Japan had lost control of its naval territories, China saw an opportunity to make rather extensive claims. The map initially had 11 dashes but was reduced to give the Gulf of Tonkin to Communist Vietnam. The decision to relinquish the Gulf of Tonkin proved to be valuable in future negotiations, as China and Vietnam settled on a formal maritime agreement in 2000. This agreement settled disputes in the region, including demarcation of the waters and the establishment of EEZ's on both sides (New York Times). These dashes were crucial as they claimed to include key territories such as the Spratly and Paracel islands. These dashes encompass nearly 90% of the South China Sea, providing unprecedented power and access if recognized or forcefully claimed. The first official claim occurred in 1958 when China submitted its "Declaration of China's Territorial Sea," which asserted control over the main islands in question today (Dupuy & Dupuy, 126). In 1992, China reasserted its claims over the islands, also bundling Taiwan in with the claim. When China ratified the UNCLOS in 1996, they stood firm with their sea claim. They then used clauses in the UNCLOS to legitimize their claims over these islands, citing the territorial waters and contiguous zones surrounding them (Dupuy & Dupuy, 126). The most critical detail in China's claim is that each island should have a recognized exclusive economic zone (EEZ) and continental shelf. This an evolution of their original nine-dashed claim, as they have sought to extend their influence in the region and capitalize on their claims.



Figure One: China's nine-dash line claim

Source: <https://www.dw.com/en/chinas-nine-dashed-line-has-no-basis-under-international-law/a-18609290>

The first reference to a “historical right” from China came in 1998 when the country passed a law on the EEZ and continental shelf; they claimed, “the provisions of this Law shall not affect the historic rights enjoyed by the People’s Republic of China” (Hayton, 1). This claim is not justified under UNCLOS; states are only entitled to the 350 nautical miles from their border, including the 200 nautical mile Exclusive Economic Zone and the 150 nautical miles extended continental shelf (Singh & Yam). After 1998, the claim was hardly made public until 2009, when they started becoming more aggressive in the South China Sea. This is an important detail, as if China had made their claims known over the 20th century, their legal argument could be grounded in historical consolidation. However, from China’s perspective, they argue that their claims predate their ratification of UNCLOS; thus, they are entitled to their objectives in the

South China Sea. For China, there are several economic and geopolitical advantages to controlling the South China Sea that illustrate why their actions have recently intensified.

Economic Advantages in the South China Sea:

The South China Sea is known for its tremendous untapped resources and status as a major global trade player, making the territorial claims a substantial economic asset for China. There are an estimated 11 billion barrels of oil and 190 trillion cubic feet of natural gas in the sea (Council on Foreign Relations). For China's rapidly expanding population, this could provide jobs and financially support their large infrastructure goals. Projects such as the Silk Road Initiative could have unlimited funding through the South China Sea's natural resources. These resource opportunities in the South China Sea demonstrate why China is so intent on their claims. If they were to follow UNCLOS, they would lose out on these resources, forfeiting an immense economic opportunity. Overall, the South China Sea's economic value makes it one of China's top international relations priority, illustrating why China is willing to go to great lengths to lay claim to this expansive body of water.

Geopolitical Advantages in Controlling South China Sea:

China's claims provide the country with an unprecedented level of power in a vital region for foreign interests. Western interests from countries such as the United States would be disrupted, causing a major power shift in the area. Along with the fact that several of America's Asian allies are threatened with China controlling the sea. China's military assets already threaten this balance of power, and it is unclear how far the United States would be willing to go to protect the neighboring countries. Their recent actions in the sea demonstrate they don't respect surrounding countries' interests, defying international treaties and engaging in provocative tactics. These advantages have caused them to go to great lengths to make claims

through various tactics. There are also some domestic factors at stake with China's claims. These include that Chinese students are taught that the sea has belonged to them since ancient times. Along with the fact that leader Xi Jinping has used the construction of the islands as a way to fuel a nationalistic sentiment, guiding the Chinese people's international interests (Perlez, 1).

Along with the historical nine-dash claim, China has facilitated their requests through what is known as the "salami-slicing" strategy. This strategy encompasses making incremental claims over time, rather than aggressive moves, to avoid conflict and attention (Congressional Research Service, 8). In practice, this primarily involves using civilian actors to further claims in the South China Sea. Such as "setting up a maritime rescue centre in Sansha, a prefecture-level city on Woody Island, which China calls Yongxing" (Congressional Research Service, 8). They have also used oil infrastructure research and even fisherman as a way of expanding their interests. This creates a discreet "gray zone" between war and peace, allowing China to remain under the radar. This "gray zone" could also present China a future opportunity to argue customary international law, as they have continuously built their presence in these areas since 2009.

The more aggressive actions lie in China's creation of artificial islands. These have a military objective and are more provocative than using civilian actors. The construction began in 2013 and went undetected until mid-2014. (See Figure Two). They currently occupy seven sites near the Spratly islands, most of which are built upon reefs. These islands are significant as if China could justifiably make this claim; then under UNCLOS, they would have the right to extend their nautical border 200 miles. China is not alone in attempting to make these claims, as countries such as Vietnam, Malaysia, and the Philippines all have made claims on various levels. The artificial islands symbolize a legitimate attempt to claim territory in a cluster of coral reefs

otherwise virtually inhabitable. Imagery shows airbases and other military operations are present, which have caused concern to surrounding nations and the United States. The military element demonstrates that China can protect these claims with force, a clear flex of power to surrounding countries. China also claims that the surveillance conducted to obtain these images is unethical, as they see it as an infringement of their territory. However, under UNCLOS Article 39, states have the right of innocent passage, which includes both ship and aircraft transit (UNCLOS). Thus, surrounding nations are within their right to navigate in these areas.

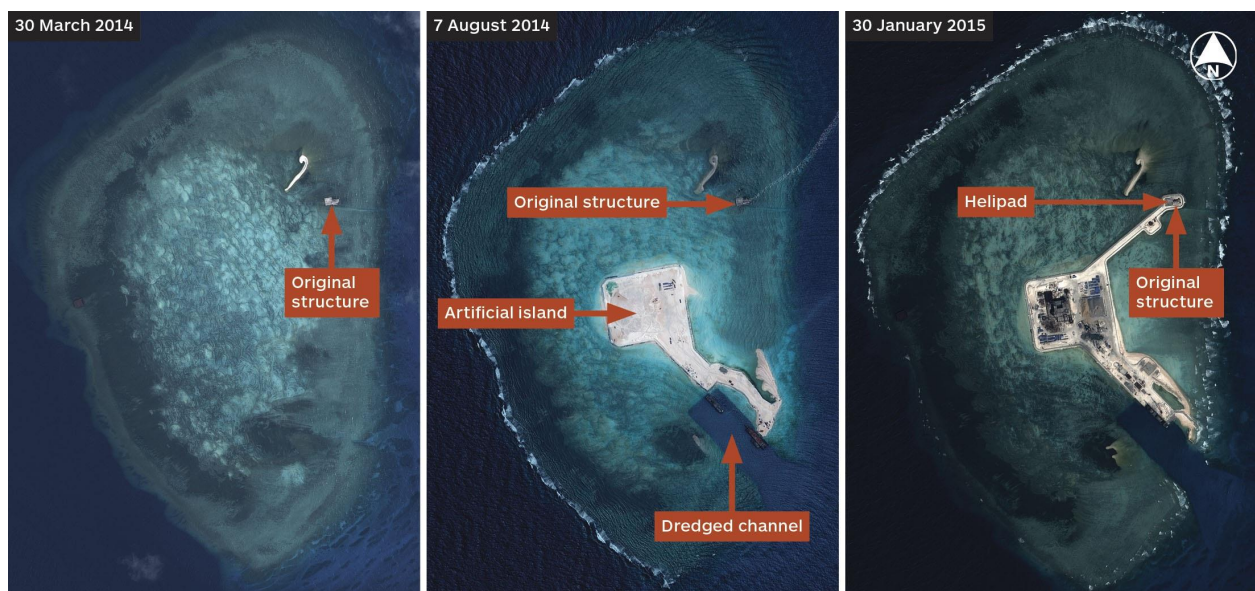


Figure Two: Shows Artificial Island Development Over Time

Image Source: CNES 2014, Distribution Airbus DS / IHS: 1570074

From an international law perspective, China's claims violate multiple agreements and treaties. UNCLOS states that “artificial islands, installations, and structures do not possess the status of islands” (Singh & Yam). Thus, the agreement that China ratified does not meet their current actions in the South China Sea. This demonstrates that they are rejecting the agreement and are not seeking the international community's approval. By building bases, they are daring

surrounding nations to question their claims and show no sign of standing down. Neighboring countries have picked up on China's actions and have resorted to international tribunals to rule on their actions' legality. These countries have no choice but to engage through international law, as China is the largest regional power. If they chose to engage with China's military, they would be trumped by the world's largest navy. In 2009, China submitted two claims to the UN Secretary-General stating, "China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof" (Dupuy & Dupuy, 124-125). This reassertion of the original nine-dash line claim illustrates that China's intentions extend not only to control the water but also the valuable resources that lie below the sea's surface. China views their actions as justified, as they are within their region and are expanding their interests based on their need.

2016 Philippines vs. China Tribunal Case:

The 2016 Philippines vs. China Tribunal Case is paramount for addressing surrounding countries' sentiments and how an international body views China's recent actions. The Philippines, along with several other countries, viewed China's moves since 2009 as a threat to stability in the region; and saw evident violations of international law. The proximity of the islands China is claiming is of great concern to the Philippines and Vietnam. The Spratly Islands are around 22 miles from the Philippine occupied Kota Island. From mainland Philippines, the Spratly Islands are just under 430 miles away, posing a significant security threat should China have full control. Smaller nations often rely on international law to fight back against more powerful countries, as they usually won't risk engaging militarily.

The Philippines Claims

The complaint was initially filed in 2013 after China took control of a reef that is 140 miles away from the Philippines coast. They argued that China violated international law, mainly through marine and environmental infringements. The most notable claim in the complaint was challenging China's legality with the Nine-Dash line and their current island creation. An arbitral tribunal created under Annex VII to the 1982 United Nations Convention on Law of the Sea accepted 7 out of the 15 submissions made by the Philippines.

Perhaps one of the strongest arguments in the claim was China's criticism of Japan in terms of claims in the South China Sea. The Philippines argued, "In response to Japan's 2008 Submission to the Commission on the Limits of the Continental Shelf (CLCS), for example, China strongly and repeatedly protested Japan's effort to claim a continental shelf, including an outer continental shelf" (Memorial of the Philippines Volume I, 5). The Philippines noted that China was correct in their argument, even citing the proper clause that delegitimizes Japan's claim. From a legal perspective, China's claim to enforce international law on Japan affirms that they consent to the rules that make their claims illegal. This is a massive contradiction exposed by the Philippines, as it curtails any form of customary law argument. China's recognition of UNCLOS and arguing it against Japan is detrimental to their claims in the South China Sea. In the Philippines' eyes, they view China's efforts as the rules don't apply to them when they run against their interests.

China failed to appear in front of the tribunal, which made the case more difficult for the Philippines. However, to the Philippines advantage clause in the UNCLOS Tribunal states, "A State which decides not to appear must accept the consequences of its decision, the first of which is that the case will continue without its participation; the State which has chosen not to appear

remains a party to the case and is bound by the eventual judgment” (Memorial of the Philippines Volume I, 6). China’s failure to appear did not hinder the Tribunal's ability to rule on the case, instead further illustrating their carelessness in the matter. Symbolically, China’s failure to appear indicates a few things; it could demonstrate that they view themselves above the court and feel that their status as an emerging world power trumps an international ruling body. Secondly, it could represent that China understands that their claims lack legitimacy and that their defense would not be adequate to win the case.

In the past, the Philippines attempted to resolve the dispute diplomatically, yet China would not budge, causing them to submit the Tribunal request. The Philippines claimed extensive efforts were made to negotiate bilateral agreements through the Association of Southeast Asian Nations (“ASEAN”). This association has ten members and has frequently been ignored by China, which is legal under international law, but conveys to the tribunal how their case is a last resort mechanism. Other countries are equally as frustrated with China's actions in the sea, playing to the Philippines’ advantage. The Philippines viewed their claims as a collective "best interest" for ASEAN members, as the ripple effects from China's moves have created an imbalance in the South China Sea. The difficulty is that some ASEAN members have their own claims in the sea, making a collaborative effort more difficult.

The Philippines’ Evidence:

The Philippines provided the Tribunal with extensive evidence to ground their various claims, which all certified China's actions in the region. Notably, arguing that the Chinese government has “methodically” expanded their claims in the South China Sea. This term connects back to the "salami-slicing" concept, in that China has intentionally made marginal movements in the sea to avoid attention yet accomplish its objectives. China could argue that

this methodical expansion took place without much objection, which would provide them with a legal precedent to carrying out their claims. However, the Philippines also named repeated specific instances where the Chinese interfered with their affairs, particularly from a maritime and oil exploration standpoint. They cited, “Chinese vessels dislodged Filipino fishermen from Scarborough Shoal, an area around which they had historically fished without protest from China” (Memorial of the Philippines Volume I, 20). This argument defies China's potential legal precedent argument, as the Philippines cite their historical presence in fishing in this region. They then cited that the Chinese created physical barriers that impede the Filipino fisherman's ability to navigate the waters. From an economic standpoint, the Chinese actions violate a vital sector of the Philippines’ economy. A different sector of the economy that China is violating through their island creation is oil exploration. One citation by the Philippines indicates that China approached private Filipino oil companies and attempted to dissuade them from exploring within the nine-dash line. This attempt is an evident violation of the UNCLOS, as the Philippines has the right to explore the high seas.

The Philippines accused China of violating Articles 57 and 76 of UNCLOS in their claim regarding the South China Sea. Article 57 covers the 200 nautical mile border that extends beyond one's coastline. Article 76 covers the continental shelf parameters, which comprise the seabed and subsoil of a marine area. This zone also extends 200 nautical miles from a coastline; anything past this is considered the high seas and cannot explicitly be claimed by a state without cause. The Philippines argued that China intruded on the 200 nautical mile border, interfering and claiming “historical rights” (Memorial of the Philippines Volume I, 164). The Chinese claimed that the Philippines “seriously infringed on China's sovereignty, sovereign rights, and jurisdiction, and is therefore illegal and invalid.” (Memorial of the Philippines Volume I, 164).

The language is groundless and demonstrates how firm China is on its nine-dash line claim. For China, there is no room for compromise, instead increasing tensions through resource operations and island-building. This was evident when the Philippines honored a British oil exploration contract in 2011. Sterling Energy conducted a seismic survey at the Reed Bank when two Chinese surveillance vessels intercepted the company's ships. The Philippines accused that the vessels operated high-speed maneuvers directly at the Sterling Energy ship, causing an extensive wake (Memorial of the Philippines Volume I, 166). The reckless Chinese acts endangered lives and defied aspects of UNCLOS. Not only by violating the sovereignty of the Philippines but also by acting aggressively towards a British company.

The Chinese government has stood by its claims and not shied away from acknowledging disputes, using the nine-dash claim as reasoning. In 2010, the Chinese embassy in the Philippines called for a meeting with Nido, a Philippines' Petroleum company commencing exploratory surveys in the Philippines water. In the meeting, the First Secretary of the Chinese Embassy, Mr. Li Yongshen, showed Nido representatives a map that encompassed the nine-dashed line and issued a strong warning to the company. After the meeting, Nido ceased all surveying operations (Memorial of the Philippines Volume I, 166). This incident demonstrates China's influence over smaller nations in the region, as a Filipino company was intimidated by China and viewed its military strength as an external threat to its operations. This scenario conveys how China has become a policeman in these waters, enacting laws that defy UNCLOS and creating enforcement measures.

Other notable pieces of evidence that the Philippines utilized to build their case against China include blatant instances of international law violations. In 2012, China enacted a fishing ban that covered much of the South China Sea. The Chinese government stated that “violators

will face punishments such as fines, license revocations, confiscations, and possible criminal charges, according to a statement issued by the fishery bureau under the MOA [Ministry of Agriculture]” (Memorial of the Philippines Volume I, 166). The illegal enforcement mechanisms that China claimed in this release further demonstrate how the power balance has shifted in Asia. China views themselves above their counterparts and acts as a governing body against sovereign nations' will. This power shift is also present in China's measure on “foreign” vessels; they argued that nations need permission before entering their claimed water. This measure also gave China the authority to authorize Chinese vessels to board, inspect, detain, expel or confiscate foreign ships that have entered the waters “illegally” or are conducting “illegal activities” (Memorial of the Philippines Volume I, 169). China’s extensive nine-dash claim has manifested its influence into a power that interferes with surrounding nations at their own discretion. Perhaps the strongest argument that coincided with the Philippines' extensive evidence was a security comment. In their claim, they stated, “China's assertion of jurisdiction, including overfishing and other vessels, has contributed to an environment of insecurity not just in the Philippines, but among all coastal States in the South China Sea” (Memorial of the Philippines Volume I, 169). They effectively convey how China's power-grabbing actions have had a rippling effect on several Asian countries—explicitly citing Vietnam and their evident frustration with how China has infringed upon their sovereignty.

The Philippines, in their submission, also effectively conveyed the impact of China’s action on a human level. Rather than strictly focusing on the Philippines’ economic interests on a state level, they captured how Filipino individuals have been affected by China's bullish actions. They cite how China has caused fishermen to feel intimidated, causing “an in terrorem effect on Philippine fishermen who are profoundly unsettled about whether China will intercept or seize

the modest vessels on which their livelihoods depend” (Memorial of Philippines Volume I, 171). The “in terrorem” threat is worth noting, as it illustrates the evident power that the Chinese have over these local fishermen. The Philippines’, due to their lack of capability, are against acting with force, creating a vulnerable situation for the fishermen. Many of the fishermen rely on their work for survival and providing for their families. China's fear-stroking tactics are interrupting the livelihood of individuals, not just surrounding countries' governments. Overall, the Philippines provided the Tribunal with an extensive volume of information that coherently illustrated how China has infringed upon the sovereignty of surrounding nations. They offered evidence and violations of UNCLOS, including satellite imagery and testimonies from private companies culminating with views from their government. The accusations define how unchecked China has gone in shifting the balance of power in the South China Sea.

China’s Response to the Case:

The Chinese chose not to recognize the case from the onset, denying the accusations and not showing up for the proceeding. They did release a detailed response to the case in 2014, titled, *Position Paper of the Government of the People's Republic of China on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines*. The position paper provides background on the Philippines’ claims and vehemently denies all accusations. The opening claims that their rights to the South China Sea date back over 2,000 years, claiming they were the first country to exploit the sea's natural resources (The South China Sea Issue). If accurate, this could provide a strong case for the use of customary international law, as this is a substantial amount of time to claim a given area. However, these claims directly contradict UNCLOS which China ratified; this convention explicitly specifies which territory a country has access to, given its borders. The Chinese also argue that they have been “actively”

monitoring their claims since post World War Two, thus demonstrating that their preservation of their claims has been consistent over time.

In direct response to the Philippines, China claims that “Philippine law had set clear limits for the territory of the Philippines, which did not involve any of China's maritime features in the South China Sea” (The South China Sea Edition). They also indicated that the Philippines’ constitution lays out what territory they are entitled to, and that the Chinese islands are not included in that text. Although this claim is accurate, the Philippines argues that China’s claims are illegal under UNCLOS, conveying that they are not entitled to the islands they are building. Perhaps the most glaring feature in their response to the Philippines is an accusation that the Philippines are illegally occupying Chinese territory. The paper lists several maritime features that China lays claim to and notes that the Philippines have been exploiting those islands' resources. Ironically, they stated that the Philippines violated international law and UNCLOS through their actions in the sea. These claims lack evidence and instead seem like a restatement of the Philippines accusation. There is propaganda in this response as a nationalistic sentiment is used throughout, perhaps indicating that this position paper was directed towards the Chinese people.

The paper also refutes the Tribunal’s ability to accurately rule on the matter, stating that they lack the knowledge of China's sovereignty. Their most notable refutation is evident when they argue “not to mention whether China's claims exceed the extent allowed under the Convention” (The South China Sea Edition). This line acknowledges that China understands its actions exceed the provisions of UNCLOS. It also demonstrates a behavioral change in China's international relations. Their interests in the South China Sea trumps international law, causing them to refute any challenge to their claims. Their status as an emerging world power also causes

them not to fear the enforcement mechanisms of international bodies. They raise Article 287 and the Annex VII of the Convention as evidence that the Philippines claims are baseless. Citing, “this contrived packaging, however, fails to conceal the very essence of the subject-matter of the arbitration, namely, the territorial sovereignty over certain maritime features in the South China Sea” (The South China Sea Edition). China argues that the Philippines does not raise a legitimate legal claim by avoiding the sovereign claims on maritime features. Thus, if they can't determine China's maritime claims' sovereignty, they can't decide whether or not their actions are in accordance with the Convention. Case law is also cited to demonstrate that no tribunal has determined a maritime feature's rights prior to the sovereignty determination.

A notable claim made in their position paper states that China and the Philippines have a previous agreement in place to settle maritime disputes. They stated that both countries agreed in 1995 that disputes “shall be settled in a peaceful and friendly manner through consultations on the basis of equality and mutual respect” (The South China Sea Edition). This argument could create a basis for China's rebuttal of the tribunal ruling; however, the Philippines frequently mentioned in their submission that China has ignored their raised concerns regarding the state of the South China Sea. Thus, China hasn't honored its side of the agreement either. Instead, they passed baseless laws that influenced the economic and political livelihoods of the Philippines. China lists other instances where diplomatic exchanges occurred between the two countries, yet it is worth noting that the majority of the meetings cited were before 2009. This argument would strengthen their claims, yet the Philippines made it adamant in their evidence that recent efforts to act diplomatically with China have failed. The real escalation of aggressive moves and artificial island-building began after that, demonstrating how China did not listen when the Philippines voiced their concerns. The only recent claim they cite is a meeting in 2011 between

President Benigno S. Aquino II of the Philippines and Chinese state leaders; however, the Philippines government's official statement did not mention diplomatic discussions regarding the South China Sea. The official press release states, "The visit hopes to promote a people-centered partnership that will push for more trade, investment, media, culture, education and tourism exchanges between both sides" (Philippines Department of Foreign Affairs). Two states can have diplomatic ties and still disagree over specific issues. In this instance, the Philippines felt they had exhausted all diplomatic efforts, thus bringing this case to the Tribunal.

The Tribunal's Ruling:

The Hauge temporary tribunal made it evident from the onset of their press release that they did not rule over sovereignty of land territory and that it did not "delimit boundaries between parties" (Permanent Court of Arbitration Press Release). They also recognized that China does not accept the arbitration or the Tribunal's jurisdiction to rule over the matter. Yet, they cite Article 288 of UNCLOS that gives them the power to rule even when one power does not appear in front of the matter. The introduction to the press release is rather assertive towards China; they cite their reasoning and assert that they are within their rights to decide on this international dispute.

The first claim they ruled on was the nine-dash line, in which the Tribunal ruled against China's interests. They cite "to the extent China had historic rights to resources in the waters of the South China Sea; such rights were extinguished to the extent they were incompatible with the exclusive economic zones provided for in the Convention" (Permanent Court of Arbitration Press Release, 1). They concede that China did make historical claims, yet those were dismantled when they ratified the UNCLOS. The Tribunal's ruling appears justified, as China's claims completely negate the rights that other countries in the region are entitled to under international

law. From a maritime standpoint, they noted that while Chinese tradesmen had frequently used the waters in question, there was no “exclusive” use to provide China with full control. This is important, as it concedes that China could utilize the waters in question, just not exclusively.

The next matter that the Tribunal ruled on was the Status of Features in the South China Sea. They note a detailed requirement of what constitutes an above water feature, noting that the feature needs to show above the surface during high tide. If it is present during high tide, then that nation is entitled to 12 nautical miles surrounding the feature. However, the Tribunal noted that these features should be in “their natural condition” (Permanent Court of Arbitration Press Release). The extent to which China has modified the features makes them unnatural and inapplicable to the maritime feature laws. They also write that areas that cannot sustain human life are not entitled to the 200-mile EEZ. Although the Tribunal recognized that the Chinese have personnel on the island, they concluded, “the current presence of official personnel on many of the features is dependent on outside support and not reflective of the capacity of the features” (Permanent Court of Arbitration Press Release, 2). Thus, the artificial islands cannot constitute official state territory; this is a significant blow for China and the perception of their actions in the South China Sea. The most influential part of the ruling in this section was the Tribunal’s declaration that China’s development in the Spratly Islands intrudes upon the Philippines EEZ. Not only did the Tribunal delegitimize China’s claims for these territories, but they also ruled that in occupying these areas, they are violating the Philippines sovereignty. With this ruling, even with China’s dismissal of the case, the international community will recognize that China’s actions are not lawful and potentially alter how they engage diplomatically.

The ruling then discusses the lawfulness of China’s actions concerning both the Philippines and their recent moves in the South China Sea. These rulings specifically supported

the Philippines' accusations in terms of how the Chinese have interfered with trade and other economic ventures in the area of question. They determined that "Chinese law enforcement vessels had unlawfully created a severe risk of collision when they physically obstructed Philippine vessels" (Permanent Court of Arbitration Press Release, 2). This determination highlights that the Tribunal views China's actions as reckless, creating instability while violating a neighboring nation's sovereignty. The Tribunal also recognized that China is violating international law by allowing its citizens to fish in the Philippines' water. Overall, their assessment of the lawfulness of China's actions was vital for understanding perception against reality. China's position paper refutes the Philippines' claims and attempts to manipulate the facts. Yet, the Tribunal saw evident violations of the UNCLOS, providing a ruling that exposes how China has unlawfully acted since 2009.

The Tribunal then evaluated how China's actions have impacted the region's environment in question, citing the damage the artificial islands have caused. In particular, they noted that the islands had damaged reefs in the area, causing a domino effect of environmental change. These damages include ecosystems within the reefs that threaten to wipe out endangered species. Furthermore, the Chinese fishermen in this region are violating the Philippines sovereignty and overfishing several species. These include "sea turtles, coral, and giant clams" (Permanent Court of Arbitration Press Release, 2). All of which are endangered and removed on a "substantial scale," illustrating how China has neglected to follow Article 61 of UNCLOS that provides protections for endangered species (UNCLOS).

The final issue that the Tribunal considered was the aggravation of dispute, which evaluated China's actions since the initial claims were raised. They cited a stand-off that occurred "between Philippine marines and Chinese naval and law enforcement vessels at Second Thomas

Shoal” (Permanent Court of Arbitration Press Release, 2). The Tribunal cited that they could not rule on a military dispute, and this instance went beyond the purpose of this particular arbitration. However, they reprimanded China for their continued island-building in the region, noting the sovereignty violation again. They also stated that China had destroyed natural features that were a part of the Philippines’ original suit. Finally, it is worth noting that the Tribunal ruled that the court’s award should be adhered to by both parties. Noting that “the root of the disputes... lies not in any intention on the part of China or the Philippines to infringe on the legal rights of the other, but rather in fundamentally different understandings of their respective rights under the Convention in the waters of the South China Sea” (Permanent Court of Arbitration Press Release, 11). This is a fundamental part of the award, as it indicates that this is not a case of malicious intent but rather a misinterpretation of international law. The Tribunal appears to recognize that China is firm in its claims, and in some respects, the power they hold in the region. This gives China leverage in their future actions to an extent, as they can claim their actions are not intentional violations of international law.

China’s Reaction to the Ruling:

China fully rejected the Tribunal’s ruling, citing that they will continue to maintain their claims and are willing to work diplomatically with surrounding countries. President Xi Jinping responded directly, saying “territorial sovereignty and marine rights” would not be impacted by the Tribunal’s ruling (Phillips & Bowcott, 1). They are thus ignoring the essence of the ruling and staying firm in their position in the region. The Chinese state media released an aggressive editorial that adamantly criticized the award of the Tribunal. The editorial writes that the tribunal “disregarded basic facts, trampled on international law and the basic norms of international relations, and announced the so-called ‘arbitration’ that seriously damaged China’s territorial

sovereignty and maritime rights” (People's Daily). The Chinese State-owned media is a powerful arm of their central government; this word choice illustrates that the Chinese took offense to the ruling and are quite frustrated. They question the Tribunal’s legitimacy to rule on manners and accuse them of being biased.

The editorial also comments on China’s historical position, reaffirming that they have long had control over these waters. They also write, "Land that does not belong to us; we don't need an inch" (People's Daily). This quote is a rather paradoxical commentary on China's recent actions. Since 2009, the Chinese have rapidly expanded their island creation and attempted to grow their influence by infringing on other nations' sovereignty. There is also an evident tone of propaganda in the editorial, as they frequently describe themselves as “peace-loving” to appear diplomatic to their targeted audience. They emphasize that they have consistently resolved disputes through diplomatic means and seek stability in the region. However, their actions contradict their statements, as they have used their civilian actors and island-building to stir tensions in the region. Furthermore, the release is a stern warning, as they accuse the Tribunal of being a “puppet” of the Philippines. Their efforts to protect their claims are "unwavering," and their presence will remain in the region (People's Daily).

Perhaps the most significant takeaway from the editorial is the duality of the message. Part of the message seems directed towards China’s citizens, following a consistent pattern of preaching peace and stability. While also reiterating their historical claims that have long been conveyed to their people. On the other hand, the release sends a clear message to their adversaries, conveying a firm tone that shows no sign of backing down. Regardless this award was a significant blow to their international reputation. Had the Tribunal sided with China, their leverage and influence in the region would have been immense. The final line of the editorial

provides insight into their stern warning, as they write, “any attempt to challenge China's bottom line can only be to shoot yourself in the foot” (People's Daily). China has made it clear that they are willing to go to any length to preserve their claims. The rapid construction of military bases on the island illustrates this notion, along with the frequent encounters that Filipino fishermen have had with the Chinese military. Overall, the Chinese government did not waiver with the Tribunal's award, indicating a new era in international relations for a rapidly expanding country.

Recent Developments:

Since the Tribunal's award, several developments have demonstrated the emerging conflict in the South China Sea. Most notably, the Philippines have continued an infrastructure project on Thitu island, despite the Chinese military's presence. The Philippines have been adamant in continuing to preserve their sovereignty despite China's aggressiveness. The infrastructure projects demonstrate an intent to remain on the island and protect the native people that inhabit the territory. A Philippines official stated, “How the Chinese militia would respond, and whether they will continue to menace Thitu once the repairs are complete, are open questions” (Associated Press). The Philippines’ measures and statements are consistent with their actions since the award; they have been more defiant in persevering their sovereignty and interests.

Additionally, China's island-building environmental impacts have worsened, as reef damage has continued at unprecedented rates. The Chinese government has also cut off researchers from the reefs, limiting vital data collection. China has even begun harvesting natural resources from the South China Sea ocean floor, tapping into the extensive natural gas reserves; this includes areas where the Philippines’ claims their sovereignty is violated. China has also utilized a horizontal drilling strategy that could be a catalyst in resource harvesting.

Accompanied with this drilling has been frequent military exercises, which are legal under international law but have raised tensions in the region (Javad Heydarian, 1). While the world has dealt with COVID-19, China has capitalized on a lack of focus from the international community by ramping up operations and continuing its expansion.

Conclusion:

China's interests in the South China Sea have heightened tremendously since 2009; thoroughly grounded on historical claims, the rising power has made unprecedented strides in controlling one of the most influential bodies of water in the world. The construction of artificial islands coupled with aggressive military and civilian action, illustrates that China has evolved its international strategy. The historic economic growth along with an expanding population, makes the South China Sea essential. The Philippines' arbitration appears to be a minor hurdle in the grand scheme of China's escalation. Yet symbolically, it is worth considering that China defied an international body's ruling. China has also moved past a diplomatic course of action with neighboring countries, instead utilizing their powerful navy to dictate movement in the sea. The next few years are fundamental in analyzing how China approaches the South China Sea. As tensions rise, Asian countries will likely turn to the United States for intervening with China. Countries like the Philippines have tried the diplomatic route and have fallen short of making any strides towards balance in the region. Ultimately, China's nine-dash claim is both unrealistic and unreasonable, as it violates international law, including other nations' sovereignty. From an international law perspective, China's actions demonstrate that powerful countries act in their interests and tend to violate treaties, as the lack of enforcement mechanisms do not act as a deterrent.

Chapter IV: China and the United States Complex Relationship

Introduction:

The gradual escalation of China's actions in the South China Sea has prompted the international community's attention, particularly the United States, as they have several interests and allies in the region. China's recent aggression represents a shift in attitude towards the United States, as they have assumed the status as a regional power, refusing to back down from their interests. This chapter aims to analyze how China's actions in the South China Sea demonstrate a change in how they interact with the United States and their quest to become an unquestioned world power. The first section of the paper will summarize China and the United States' diplomatic relationship throughout much of the 20th and early 21st century. The purpose of this section is to provide context on how these two powers have engaged historically. This includes a review of China's rapid economic expansion along with the deals conducted between the two countries.

Then an evaluation of how this economic growth correlated with military expansion and the implications of the increased assets. One of the essential aspects of this section is an analysis of the United States' relationship with China, including diplomatically and the United States military presence in the region. This section will transition into a present-day analysis, including how China has confronted the United States in the South China Sea. For instance, the Chinese Navy has attempted to stop the United States from navigating near their claims. This section will also analyze the United States hypocrisies in criticizing China and their recent statements on China's actions in the sea.

The next section will interpret how Biden's administration has dealt with China in the sea thus far, providing insight into this escalating conflict's future. The conclusion of this chapter

will argue that China's actions in the South China Sea defy western interests and demonstrate that they are now an established regional power. Their refusal to succumb to the United States' wishes represents a shift from previous policy and diplomatic engagements. Ultimately, demonstrating that China's actions in the South China Sea demonstrate a microcosm for their newfound status as a regional power.

Historical Context:

The mid 20th century was a transformative period for both countries, as several wars and different diplomatic events shaped their rise to power. Between 1940 and 1960, China and the United States had vastly different interests and positions in global affairs. The People's Republic of China was established in 1949 after they ousted the Nationalist government in power. This uprising created a period of no diplomatic dealings between the United States and China, as the United States backed the defeated Nationalist party. This stagnation was escalated by both countries' interests in the Korean War, as the United States backed the south and China supported the communist north.

The First Taiwan Strait Crisis represented a monumental event in diplomatic exchanges between both countries, as mainland China shelled Taiwan Strait Islands. President Eisenhower threatened nuclear action against China if they continued the shelling. At the time, China lacked nuclear capability, causing them to negotiate with the United States and temporarily ending the conflict. This event demonstrated how China's military capability was not strong enough to compete with the United States' technology. The negotiation represented that they acknowledged the United States' capability and were unwilling to challenge them over Taiwan. China's first nuclear test in 1964 represented a robust development in their military capabilities; this coincided with escalating tensions with the United States and the war in Vietnam. The nuclear

weapon test provided a necessary deterrent against the United States, making China less vulnerable from attack or even confrontation.

Acts of Diplomacy/Important Events:

The game of ping-pong conjured up the first major act of diplomacy between the People's Republic of China and the United States. In 1971, members of the United States ping-pong team were invited by China's team, marking the first time Americans had been allowed in the country since 1949. Then-Secretary of State Henry Kissinger made a secret trip to the country. Shortly after that, the United Nations recognized the People's Republic of China, a monumental diplomatic step. These exchanges spurred President Nixon to visit the country in 1972, which was unprecedented in the Cold War era. The visit facilitated the two countries to voice their differences, including Taiwan and other foreign policy matters. For China, the diplomatic exchange proved to be quite valuable, as the United States officially recognized, "there is but one China and Taiwan is part of China" (Richard Nixon Foundation). The United States viewed that China was becoming too powerful to ignore, causing them to conduct various diplomatic exchanges.

The relationship between the two countries continued to develop, and in 1979 President Carter granted full diplomatic recognition to China. This partnership included the creation of the One China Policy, stating that there is one Chinese government and that Taiwan is not an independent sovereign territory. However, in the same year, the United States also passed the Taiwan Relations Act, which guaranteed American support for the island. This act included commercial and cultural relations, along with providing defensive arms (BBC). Symbolically,

this move represented that the United States still had the advantage when it came to negotiations; they understood that China's capability was not on par with theirs.

The Reagan era continued strengthening China and the United States' relationship, as America allowed Beijing to purchase military equipment. The Tiananmen Square Massacre created a ripple in U.S.-China relations, as America then suspended military equipment sales. When the Clinton administration came into power, they helped facilitate a revolutionary trade agreement that completely changed the two countries' dynamics. In 2000, the U.S.-China Relations Act allowed trade and allowed China to join the World Trade Organization (WTO). However, the United States intended to have China join an American-led organization in hopes of controlling their economic growth. This strategy had quite the opposite effect, as the agreement allowed China to rapidly ascend as a world economic power, taking advantage of globalism and free trade.

Analysis:

The slow progression of U.S.-China relations was caused by several contributing factors, including positions on Taiwan and economic differences. The period between 1949 to the early 1960s was marked by fundamental ideological differences in governing and foreign policy. The United States backing of the former Nationalist government created a tense initial relationship between the new ruling People's Republic and the United States. Foreign conflicts also contributed to the division, primarily because the United States believed communism was an existential threat to the world and the institution of democracy. The progress made between the 1980s and early 2000s proved to be massively lucrative for both powers as trade went from \$5 Billion to \$231 Billion, demonstrating an incentive for the two countries to work together. Historical events such as the Tiananmen Square Massacre demonstrate where the two countries

differ from a governing standpoint. The United States boasted Western ideals that included the right to protest; thus, China's inhumane actions could not be ignored. The countries' different positions on Taiwan have also altered their relationship, as the United States has long resisted formally recognizing China's control over the territory. The United States seemingly did not respect China until their economy expanded rapidly; once this occurred, they took diligence in dealing with them. The United States' failure to control China's economic acceleration allowed China to grow its current state. In sum, fundamental differences were bridged by economic necessity and an ever-changing global trade network.

China's Economic Growth & The Impact:

The death of Mao Zedong led to Deng Xiaoping taking power in 1978; his regime focused on increasing the standard of living and opening up China to the rest of the world. This expansion included the policy of Gaige Kaifeng, which emphasized improving society by expanding economic reach. Investing in trade and taking advantage of a rapidly expanding population, China's economy boomed. The government encouraged private businesses while liberalizing trade and investment. They invested in educating their workforce and increasing production in rural areas. Some of the specific reforms included introducing profit incentives to rural enterprises, which caused state-owned enterprises to decline, boosting the economy profoundly (International Monetary Fund). China's embrace of globalism allowed them to expand its economic assets and take advantage of a large population. They also allowed more foreign investment that the Chinese government heavily regulates. The Foreign Investment Law of the People's Republic of China provides the government with several advantageous provisions. These include guiding foreign investment to particular industries or areas of China, providing the government with the ability to maximize their returns from foreign investment

(Branstetter, 5). These policies caused China's GDP to skyrocket, making them a staple in global trade and establishing its position as an economic power. Figure Three below shows how rapidly China's economy has expanded, and how the growth rate is expected to take over the United States eventually.

CHINA VS UNITED STATES: GDP COMPARISON

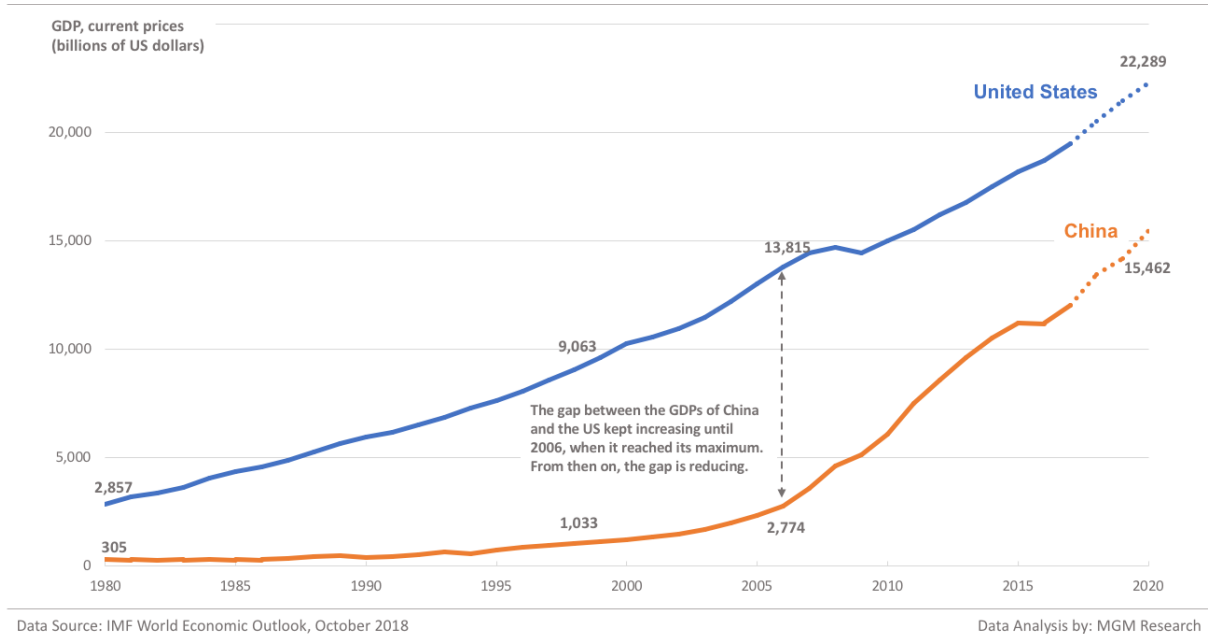


Figure Three: U.S. vs. China Economic Growth Over Time

Image Source: <https://mgmresearch.com/china-vs-united-states-a-gdp-comparison/>

One of the main effects of boosting the economy overtime was an increase in military spending. As in 2007, China increased military spending by 18%, which they claimed was to reflect their economic strength (Buckley) better. Since then, their budget has grown exponentially, as their budget was \$22.93 billion in 2000 and \$261.08 billion in 2019, representing an increase of 1000% (macrotrends). This budget increase demonstrates China's urgency to catch up to other powers. It is also worth noting that they outspend surrounding countries in the region; they spend more than Japan, South Korea, the Philippines, and Vietnam combined (CSIS). China claims that the steady growth in military spending is merely a reaction

to its economic growth and expanding population. From a power standpoint, their increased spending demonstrates their objective to regulate other countries in the region.

China's military spending has also accompanied a complete modernization of their naval assets, which has aided their expansion efforts in the South China Sea. These efforts have included ship, aircraft, and weapon programs that have made them quite versatile in protecting their interests. They passed the United States in battle force ships, making them technically the world's largest naval force. Their missile program is becoming on par with western powers, including: "anti-ship ballistic missiles (ASBMs), anti-ship cruise missiles (ASCMs), submarines, surface ships, aircraft, unmanned vehicles (UVs), and supporting C4ISR (command and control, communications, computers, intelligence, surveillance, and reconnaissance) systems" (Congressional Research Service, 3). These upgrades demonstrate China's escalation to a strong regional power; their actions make them the most powerful country in the region. One particular upgrade that makes China one of the most powerful players in the South China Sea is its development of Anti-Ship-Ballistic Missiles, which can hit moving ships from far distances (Congressional Research Service, 5). This development makes China better equipped to handle potential threats to their interests in the South China Sea. They are also expanding their submarine fleet to compete with the United States; this includes upgrading old vessels and adding new technology.

Finally, one of the most critical developments their navy has enhanced is their aircraft carrier fleet. They currently have two in service and two under development; all of this has occurred in the last nine years, matching their aggressiveness in the South China Sea (Congressional Research Service, 5). The aircraft carrier is considered one of the most valued sea assets as it extends air power and has beneficial defensive system capabilities (Florentino). The

production of multiple carriers indicates that China could expand its naval presence past the South China Sea, as these ships give them tremendous range. Their advancements have translated to actions outside of the South China Sea. They have begun naval missions in the broader Western Pacific, Indian Ocean, Mediterranean Sea, and the Baltic Sea. These have mainly been for diplomatic purposes, but recent training exercises have also been conducted (Congressional Research Service, 27). The impact of their naval expansion has caught Western powers' attention, as they have noticed the extensive growth of an up-and-coming world power. These modernization efforts demonstrate how China transformed its country in the 20th and 21st centuries, competing globally in both economic and military terms. They also demonstrate an effort to up their security in the region; building their navy directly responds to the United States presence in the region. China is rightfully paranoid by the extensive presence that the United States has their region, as they have several bases in strategic areas. For China, having control of the region would increase security and allow them to consider pursuing further objectives beyond the South China Sea.

The United States Position on China's Ascent to Power:

The United States has watched China's economic and military growth boom over the past thirty years with cautious eyes, viewing them as a threat to their status as a world power. Although they have been trading partners, there have been frequent tense diplomatic exchanges that present a potential modern cold war. The United States has several key allies in the Asian region that they utilize for monitoring China's actions. This includes a large military presence in South Korea and several bases throughout the region. Figure Four below does an effective job of demonstrating the density of the United States assets in the sea. Several Presidential administrations have verbalized their concerns with China's rise to power.



Figure Four: US Military Presence in the Asia-Pacific

Image Source: <https://japan-forward.com/the-us-and-vietnam-old-enemies-new-friends/>

A Congressional Research Service report documented that China’s naval expansion and actions in the South China Sea have “become the top focus of U.S. defense planning and budgeting” (Congressional Research Service, 1). The United States has taken China’s action seriously and acknowledges that its capabilities are close to being on par with them. There are various implications for China’s naval expansion in the South China Sea that threaten the United States’ ability to conduct their typical operations. The ASBM missiles that China has developed can easily destroy U.S. naval assets. The other concern is that China’s acceleration and expansion will allow them to control the Western Pacific, causing the United States to lose

control over a vital strategic area. One interesting finding from the Congressional Research report is, “observers believe China wants its navy to be capable of acting as part of a Chinese anti-access/area-denial (A2/AD) force—a force that can deter U.S. intervention in a conflict in China’s near-seas region over Taiwan or some other issue, or failing that, delay the arrival or reduce the effectiveness of intervening U.S. forces” (Congressional Research Service, 1). This observation indicates that the United States believes that China views them as a security threat to their interest in the South China Sea. China’s recent naval expansion is seen as a way to improve their regional security by forcing the United States out of the sea. This scenario could create a tense exchange between the two powers, as there is a lot at stake for both of them. China argues that they have the right to protect their claimed territories. While the United States argues that they are free to navigate the waters at their leisure.

United States: Peaceful Resolution Argument:

Certain foreign policy experts argue the best course of action for the United States is to resolve this dispute with China peacefully. Patricia Kim, a prominent policy analyst, presented in front of the House Permanent Select Committee on China’s military expansion and its implications on the United States’ interests. She argued the best course of action is tempering Beijing’s aspirations to expand their interests by working with regional allies. Noting that if China does not comply, they should act swiftly in tempering ambitions. One unique angle she argued was “leveraging China’s desire for stability and prosperity at home to discourage destabilizing behavior” (CFR). This argues for taking advantage of China’s aspirations to flourish as a country and that the United States should convey that their actions in the South China Sea could create chaotic events that threaten their balance and stability. This also argues that China’s destabilizing behavior is rooted in their island-building, as from the United States

perspective, these actions are unacceptable. This is an interesting strategy that seems less practical when considered how dedicated China has been in protecting its interests in the South China Sea.

An argument could be made that their claims in the South China Sea are a fundamental aspect of their path towards stability and prosperity. President Xi Jinping has echoed this sentiment with a nationalistic tone that conveys to the Chinese people that their creation of artificial islands is essential for their nation. Furthermore, somewhat ironically, the United States understands that international law plays to their advantage in the South China Sea. They enjoy the freedom of the seas as they have recognized UNCLOS as a codification of customary international law, which allows them to navigate throughout the South China Sea. Although they have not ratified UNCLOS, they understand that the treaty is favorable to their current occupation and navigation of the sea (Dutton). The peaceful resolution method should encourage a diplomatic resolution with Beijing and enable allies to work with China to settle disputes. If the United States ratified UNCLOS, they would have better leverage in conveying to China how their actions violate international law. Presently, their close encounters with China in the sea, culminated with their statements regarding China's actions, have created a tense situation on the verge of a swift escalation.

United States: Forceful Resolution Argument:

Several influential American military and political figureheads have argued for decisive measures to suppress China's actions in the South China Sea, presenting the dangers if China hypothetically controlled the sea and their claimed territories. In July of 2020, former Secretary of State Mike Pompeo released a statement regarding the United States' position on China's claims. He noted that China's actions are "completely unlawful, as is its campaign of bullying to

control them” (Pompeo). He argued that China had no legal claim and is threatening surrounding countries and the region's stability. He also argues that the United States presence in the South China Sea is in accordance with international law and is instrumental in maintaining balance and the commerce that runs through the region. Pompeo’s arguments are rather ironic as they have not ratified UNCLOS, while China has ratified the treaty. Also, considering the extent to which the United States has expanded its international presence over the past century, it appears paradoxical to criticize another country for increasing its interests in its region. It is also worth noting that the United States is concerned about a country securing their own region, which from China’s view is completely within their rights. Pompeo also argued that the United States allies in the region were at great risk with China’s actions. This is worth noting, as should a military conflict arise, they would likely claim that their involvement was out of their allies' protection. This particularly applies to their relationship with the Philippines, which the U.S. has reiterated top priority to maintain and protect.

Recently, the U.S. and the Philippines announced a future meeting to discuss the Visiting Forces Agreement, which allows the United States troops in the country (Venson & Moriyasu). The deal is in jeopardy as Filipino President Rodrigo Duterte notified Washington that he was canceling it due to his allies' visa denial (Venson & Moriyasu). Thus, making this meeting critical for the United States military presence in the region, as their current rotational troop agreement provides them strategic positioning in the South China Sea. Should China act bullishly, the United States could act fast with a military response; this advantage is in jeopardy.

A recent Congressional Research Service report documented the United States' current concerns regarding China’s actions in the sea, further building upon Pompeo’s arguments and escalating the necessity for action. One point made argues that if the United States is restricted

access to the sea, there is the potential of surrounding nations in the region to heighten their defense program (Congressional Research Service, 3). This argument assumes that the United States is the reason the region has been stable in the past—should they lack access, there could be an arms race that would heighten tensions in the region. The report raises an interesting view on China as an emerging world power, writing, “China’s views toward the meaning and application of international law, and whether China views itself more as a stakeholder and defender of the current international order, or alternatively, more as a revisionist power that will seek to change elements of that order that it does not like” (Congressional Research Service, 6). These lines are fundamental for understanding how the United States views China’s actions in the South China Sea as a movement towards a major regional power. They also criticize China as a state who will shake the current peaceful world order with its newfound power. There is a western tone in these lines that evoke a typical democratic country's response to the rise of a non-western power.

American military leaders have been quite blunt with Chinese officials regarding the militarization of the South China Sea. Former Secretary of Defense James Mattis told colleagues at a dinner in Mount Vernon’s greenhouse that, “History is very 100 percent compelling on it. If you think you’re going to take over the Pacific, you’ll just be the fourth who thought so” (Woodward, 127). Mattis' direct tone demonstrates that the United States is willing to fight over this territory. The historical reference indicates that they have done it before and will do it again. He explicitly indicated to China that he is willing to fight but noted he did not want to light the world on fire again (Wu). Mattis’ menacing words might hold less meaning now, as China has heavily invested in military technology and is quickly becoming on par with the United States in terms of capabilities. He also called on ASEAN allies to stand up against China and not stand

down. In sum, the political and military figureheads representing America view China as a substantial threat to their influence in the Pacific region, potentially disrupting partnerships and their ability to maintain assets in the sea.

China's View of the United States in the South China Sea:

China has the polar opposite view of the United States in terms of the South China Sea, viewing America's presence as a threat to the region's peace. A foreign ministry spokesman recently said in a press conference, "the United States frequently sends aircraft and vessels into the South China Sea to flex its muscles. This is not conducive to peace and stability in the region" (Cadell). This statement reflects that China views the United States' tactic as creating a deterrent to prevent them from pursuing their interests. Their dissatisfaction with the United States is a fair claim, as the United States would certainly not allow China to have a naval presence near their coasts. China is also angered by the United States' commitment to Taiwan and called on the United States to uphold the One China Policy. The spokesman also cautioned the United States to "not send any wrong signals" with their action regarding Taiwan and the South China Sea (Cadell). This press conference's general sentiment is that China will not back down from its claims in the South China Sea. They view their military assets and political power as formidable to compete with the United States.

Furthermore, in July of 2020, after the United States conducted drills in the South China Sea, the Chinese embassy released a stern statement that captured their anger and resentment. They argue, "the United States is not a party to disputes in the South China Sea, but it frequently intervenes in the South China Sea issue" (China Embassy). China also presents a valid legal claim citing that since the United States has not ratified UNCLOS, they should not enjoy the agreement's clauses. This is a strong argument because the United States has violated

international law by invading other countries' airspaces and territorial waters. Although the Hague tribunal rejected China's claims, they are correct in asserting that the United States has overstepped in certain instances from an international law perspective.

China also claimed that they had worked diplomatically with ASEAN party members to resolve disputes, reiterating that this is a matter in which the United States has no involvement. They raised the "Declaration on the Conduct of Parties in the South China Sea," which was signed in 2002, and emphasizes the commitment to follow UNCLOS while also working towards maintaining balance and peace in the region (ASEAN). However, China has violated this agreement with their actions, as international bodies have rejected their various sea claims. Today, ASEAN parties are far from reaching a new deal with China, as they dispute resource and territorial claims. Thus, China has limited leverage to argue that they can resolve their list of disputes with surrounding countries. Furthermore, ASEAN partners verbally denied China's right to 90% of the sea and sided with international law, providing a significant blow to China's expansion efforts (Gomez). The move demonstrates that the ASEAN partners understand the sea's importance and will not relinquish the vast resources and trade routes to a larger power. Should China continue to pursue its efforts in the sea, they will be met by a strong coalition of Asian countries, along with the United States.

US-China Interactions in the South China Sea:

Since China began the construction of artificial islands, there have been frequent tense interactions between American Navy and Chinese Navy ships; symbolizing an escalating situation that is a hallmark of two powerful countries on the brink of conflict. The United States presence in the South China Sea is undeniable, marked by ships frequently navigating the area to maintain control and influence in the region. Through the creation of artificial islands, China's

militarization has produced a tug of war power dynamic that has caused dangerous encounters. The events have been consistent since 2018, as the United States has conducted more navigational missions coming close to the highly contested Spratly Islands. In May of 2018, China sent two warships to confront American ships, sending warnings ordering them to leave the contested area. In a statement, China said that the United States had violated their sovereignty as the ships were within 12 nautical miles of Spratly Islands (Uria). However, from a legal standpoint, this sovereignty violation claim is incorrect, as an international tribunal did not recognize China's claim to the islands. It is worth noting that China cited their law in their defense of the confrontation, never mentioning any form of international law that would legitimize their accusations. In their official statement, they reiterated their commitment to expanding their military presence of the sea, which is a clear show of strength. The statement ends with a reaffirmation of maintaining peace in the region; however, their legal claim has been discredited by international law, thus continuing their actions will not ensure peace.

In October of 2018, an encounter between America and China became arguably the closest the two sides have come to engaging in war in the 21st century. Again, the United States was patrolling in the disputed territories when a Chinese warship came within 45 yards of colliding with an American ship. The American ship had to perform a maneuver to avoid a major accident; the encounter raised tensions between the two nations even further (Martinez). From China's perspective, they view that they are protecting what is legally theirs and are willing to fight to protect those assets. While the United States views their ship maneuvers as legal under international law and maintains that they are peacekeepers in the region. Figure Five below demonstrates how close the Chinese vessel was to the American ship, portraying the aggressiveness and intent in this situation.



Figure Five: Image depicting a close encounter between U.S.-China Ships

Image Source:

<https://abcnews.go.com/Politics/chinese-warship-45-yards-uss-decatur-south-china/story?id=58210760>

When the United States Navy encounters Chinese warnings over the radio, pilots and technicians read, “I’m a sovereign United States Naval Aircraft conducting lawful military activities beyond the national airspace of any coastal state. In exercising these rights as guaranteed by international law, I’m operating with due regard for the rights and duties of all states” (Martinez). The language used by the Navy pilot provides useful insight into the United States' views of China’s claims, along with how they lawfully exercise surveillance over them. The pilot notes that they are beyond “the national airspace of any coastal state,” which falls in line with the international tribunal’s ruling on China’s claims. UNCLOS says that artificial islands do not maintain the same rights that sovereign recognized territory; thus, the United States is acting within international law. In China’s initial warning to the American pilot, they

informed that they had total sovereignty over the islands and adjacent water space, which is an important declaration as the language indicates that they stand by their claims even during a moment of confrontation. The advantage for the United States in this situation is that everything China does on these islands is in plain sight. Since the international community does not recognize China's claims, the United States can conduct high-level surveillance without fear of major repercussions.

The confrontations have continued between the two countries, as China has newfound confidence with its powerful navy. In December of 2020, the United States conducted its ninth freedom of navigation mission of the year, which reportedly is a five-year high. After the event, the Chinese claimed to have "expelled" the USS John S. McCain from the disputed territories, which the United States adamantly denies (Feng). A Chinese-owned media company named the Global Times detailed the event and how the United States violated China's sovereignty and is responsible for the rising tensions. They note that the United States' actions are a product of former President Trump's administration, writing, "the Trump administration is using its last month to leave president-elect Joe Biden with more trouble in US-China relations" (Xuanzun). This remark demonstrates that the United States increased presence in the South China Sea during the Trump administration upset China, indicating where they stand diplomatically at this point. The statement released through the Global Times also comments on recent testing China has conducted, as they attempt to create a deterrent to prevent further interaction with America. Finally, the statement highlights that other provocations will be met with "coordinated attacks," which would further escalate rising tensions (Xuanzun). Any use of actual force could likely have massive global ramifications that could shape the Pacific's power dynamic.

The Biden Administration and Its Impact on the South China Sea:

The Biden Administration has continued the former administration's attitude towards China and its actions in the South China Sea. President Biden inherits a fluid dynamic that requires strategic responses that deal effectively with China's status as a regional power. His administration has continued navigation exercises near China's claimed territories, setting the tone on how the United States continues to reject its adversaries' actions. Biden was recently alerted by the Council on Foreign Relations that a conflict with China is "more likely than ever," setting a dangerous narrative that shows how tensions are at an all-time high (Donnelly). The CFR cites that China has become increasingly aggressive towards Taiwan, creating a complex situation for how the Biden administration would respond. Furthermore, Biden's Secretary of State Antony Blinken reiterated the denial of China's claims and promised to stand tall with Asian allies (McCurry). These actions in Biden's first few weeks indicate an unchanged American attitude towards China, demonstrating that both political parties see the value in maintaining influence in the South China Sea.

President Xi Jinping has already tested the Biden administration with various military tests and shows of strength. In response, Biden moved two aircraft carriers that were previously in the Persian Gulf into the South China Sea. Likely to China's dismay, America's unchanged attitude will continue to prevent China from fully controlling the region. The Chinese government has attempted to expand their power and deterrence towards the United States, as days after Biden's inauguration, China passed a new law regarding their Coast Guard. The new law provides full authorization for the Coast Guard to fire upon foreign vessels that approach their claimed territories. The law also allows the Coast Guard to destroy any non-Chinese structures found in the region, an attempt to reinforce their claims and manifest legitimacy

(Associated Press). These moves demonstrate that Beijing is scrambling to respond to American provocations, creating laws that fit their narratives and objectives.

Conclusion:

This chapter has provided comprehensive insight into the fluid relationship between the United States and China, as both powerful countries are competing for control of the South China Sea. China's emergence as a regional power has been fueled by globalization and their exposure to free trade, allowing their economy to grow at an unprecedented rate. They have taken advantage of the world's largest population, growing a variety of industries through manufacturing and enforcing very few labor laws. On the contrary, the United States has watched China creep up on their status as a world power, engaging in trade with them all while their manufacturing sector has declined. This dynamic has also translated into military capability, as China now boasts the largest navy in the world, a likely response to America's strong presence in the region. China has even begun to interact with the international community in a similar manner to the United States. They have ignored international law and rejected rulings that go against their interests. The extensive back and forth that has transpired with diplomatic statements throughout the past few years has led the countries to their highest tensions ever. The conflict between the two countries goes far beyond the South China Sea, extending to cybersecurity, human rights, and trade. The division also lies with disputes regarding Taiwan and Hong Kong, which led to an escalation of animosity between them. Ultimately, the United States is uncomfortable with how China is acting on a global scale. In the Pacific, the next decade will be extremely telling where this standstill ends.

From China's standpoint, there is no incentive to relinquish their efforts in the South China Sea, as they benefit from the control and improving their optics of an emerging world

power status. Their treatment of neighboring allies in the region conveys a show of strength and that they are in full control of their interests. The rewards outweigh the risks, as the vast resources in the sea could extensively help their economy. Hypothetically, if they can push the United States out of the region, they can assure their interests are protected and their actions are unchecked. Controlling the South China Sea could also allow China to expand further into other water bodies, as their navy and other military assets would continue to evolve. While from the United States' perspective, losing the South China Sea would symbolize a massive shift in their status as a world power. Relinquishing control of the South China Sea would create an enormous security liability for America. This region is vital for United States surveillance on China and countries such as North Korea. The loss of control would also create a tremendous liability for America's allies in the region, as they rely on them for protection from China. China would likely control Taiwan, and countries such as the Philippines would also be at risk of invasion. Symbolically, America risks China spreading their global influence even further in this scenario, as China would take advantage of their large navy and growing economy.

Ultimately, immense conflict is unlikely as both sides have nuclear capabilities, providing a deterrent as a war would be catastrophic. Even an isolated war in the region seems improbable, as both countries understand that their relationship is essential for maintaining their economies and trade status'. The best course of action would be a compromise where the United States allows China to control its artificial islands. At the same time, China permits the United States to continue its freedom of navigation expeditions. This compromise would provide each country with its main objectives in the South China Sea. In terms of China's resource claims, their best course of action to diplomatically respond to their neighboring countries would be allocating the various resources. Overall, this chapter effectively captures the rising tensions in the South China

Sea, presenting both countries' viewpoints and where this conflict is headed in the future. The South China Sea provides a strong symbolism of how the global landscape is evolving and how that impacts the world leaders.

Chapter V: Conclusion

Introduction:

This paper has provided a comprehensive analysis of the current state of the South China Sea, documenting China's claims along with the impacts of their actions. The research has effectively conveyed how China's efforts demonstrate their transition into becoming a strong regional power, as nations such as the United States have attempted to prevent their agenda.

The literature review provided the necessary background to introduce how the international system works among different states, ultimately arguing that a culmination of realism and liberalism has led China to its current state. The work of several neo-realist thinkers helps to explain the anarchical nature of statehood and how the balance of power is shared among states. The arguments made from both an offensive and defensive realism view demonstrate that China seeks first to stabilize its security regionally and potentially broaden interests further. Globalism has also fueled China into the international stage, allowing them to bolster their economy, which correlates with their strengthening military.

While the first chapter delved into China's legal claims and particularly how the surrounding countries have reacted to their moves, the first part of the chapter notes China's historical claims to the sea and how they have attempted to hold up those claims over time. The court case highlighted between the Philippines and China is imperative to include in this conversation, as it alludes to how the international community views China's legal claims. Their decision not to back down from their legal claims after the ruling also indicates their intentions moving forward, as they defied the international community. This chapter also analyzes the reasoning behind China's actions and why they are so adamant about maintaining their claims.

The second chapter provides extensive insight into the United States and China relationship and how the South China Sea has impacted their interactions. This chapter aims to

shed light on an emerging world power vs. a current world power and how a territorial dispute influences that dynamic. The background section provides insight into their relationship's historical significance, documenting their differences in both foreign policy and economic strategies. This chapter also highlights China's bolstering of their navy and how that has played out in engaging with the United States in the South China Sea. This section emphasizes that China is attempting to push out the United States with shows of force. However, the United States is not backing down, as this chapter notes that they value their presence in the region and seek to continue their self-proclaimed role as peacekeepers. The chapter also highlights the future implications of this constantly evolving conflict, noting that both countries are firm in their positions.

This conclusion aims to wrap up these ideas and discuss the implications of this conflict moving forward. There will also be a section discussing the limitations of the research, noting biases, and how other aspects of China's international actions impact this conversation. There is also a lessons section that highlights how this research applies to other rising powers. This paper will then end with predictions that are grounded based on the research of this paper.

Implications:

This field of study's implications is tremendous, as this conflict decides the balance of power in an essential region for foreign relations due to China's presence. If China hypothetically controlled this region, it would further grow its economic and political influence. In this scenario, China would also control Taiwan, an interest they have attempted to control for years. There is also the possibility that they could infringe upon the surrounding states' sovereignties in the region. The control of the region could also allow them to further expand their interest, as having security in this region would make them comfortable pursuing new areas. Regional

security is crucial for China as they seek to become a world power, building an even larger military force. Furthermore, economically the control of the region would allow them to support a rapidly growing population. The dominance would also bolster Xi Jinping's image for the Chinese people, as asserting the West's power and controlling contested territory would mark a defiant moment in history for their country.

For the United States, relinquishing the region's control would create a daunting reality for their status as a world power. The United States has been adamant about controlling its wide berth of influence throughout the world; losing this region would diminish their oversight. They also have several allies in the region that they have prioritized protecting from China. These allies allow them to maintain their troops in strategic locations; China's control would also jeopardize this. Furthermore, from an optics standpoint, China pushing America out of a region would demonstrate a shift in international power. Few countries have challenged the United States militarily this century, indicating that this conflict has become monumental. China would also likely continue to build up its navy, which could create more challenges for the United States on the international level. There could also be exceptional economic implications with China's control of the South China Sea, as the United States would likely continue punishing them through intense tariffs. This dynamic would create several issues for America as they rely on China for several goods and services.

The surrounding countries in the region would be at significant risk should China control the South China Sea. China has already violated several neighboring countries' sovereignty; a hypothetical extension of this control could be a catastrophic outcome for this region. Without America's support, most countries would be highly vulnerable to attack or intimidation tactics. The outcomes seen in the Philippines case demonstrate that China is not afraid to infringe on

other countries' sovereignty. China's competent navy makes their monitoring capabilities of the region unquestioned, which also plays a role in their full control of the sea.

Limitations:

The most significant limitations that exist in this paper are the western lens I take as the author. Throughout the paper, I attempted to incorporate China's perspective and rationalize their actions in the South China Sea. Inherently, my western education creates certain preconceived notions on how other countries act in the international system. The best way to avoid bias is to include perspective and value unique authors' perspectives. In the first chapter, the research illustrated China's reasoning behind their claim, noting their historical commitment to upholding the nine-dashed line. There was also an analysis of the benefits of China controlling the sea, demonstrating a rationale for the moves they have made. While in the second chapter, I wanted to critique the United States' contradictions for their position on China regarding controlling the sea. I also attempted to demonstrate that since the United States has not ratified UNCLOS, its credibility in discrediting China is minimal.

A further limitation in my study is that this is an ongoing conflict and is on the brink of further escalation. The conflict is rapidly changing, which makes effectively analyzing it difficult. One of the strategies I took to combat this was to include current articles demonstrating how the tensions are close to a breaking point. The encounters analyzed in this paper are still happening frequently, and the new American administration has not changed sentiment between the countries. The next few years will tell how China continues to progress its claims with the United States looming over their interests. Although current events impact the research, the argument remains the same; this conflict marks a major shift in the international order's balance.

Lessons:

Several lessons are evident from this research; however, the role of globalization in emerging powers is one of the greatest takeaways. Due largely to their unprecedented economic growth, China's current position has caused them to become a major power in the international system. They have taken advantage of a rapidly expanding population that provides them with an enormous poor workforce. This economic growth directly correlates with their ability to grow their military, particularly the navy. The naval growth allowed them to expand and pursue their interests in the South China Sea.

Another primary takeaway from this research is that the lack of enforcement mechanisms from international law has dramatically impacted the South China Sea situation. China's emerging regional power status has allowed them to ignore the Hague temporary tribunal award, indicating how power changes correlate with international law compliance. Before China became an emerging world power, they ratified UNCLOS, demonstrating a recognition of international law and surrounding countries. However, since China has grown into an emerging world power, they have rejected international bodies along with the law. The rejection of the tribunal ruling marked a defiant moment in China's foreign policy, as they did not see a creditable enforcement mechanism at hand. International law also failed to protect the Philippines, as the ruling did nothing to contain China and prevent sovereignty violations. Although a tribunal produced a ruling, it produced more of an image issue for China, opposed to an enforceable measure.

The United States' actions in this conflict showcase a lesson that they intend to be the sole world leader. Their frequent navigation missions and increased naval presence in the region demonstrate that they are far from relinquishing the sea. The ability to regulate China rests on them maintaining their ability to conduct freedom of navigation missions in the South China Sea.

Without this surveillance, they risk China further building their military. Their tactical aggression in the sea also symbolizes how they don't want to escalate to war, but they do want to continue their presence.

Predictions:

Based on how the United States and China have conducted their interactions in the South China Sea in the past ten years, I see this conflict as a cold one that could turn hot at any moment. China is firm on its position, but they realize firing on a United States ship could have catastrophic outcomes. Similarly, for the United States, the prospect of war is daunting, as both countries have nuclear capability. I believe that the United States will continue to allow China to develop its artificial islands, as long as they do not invade Taiwan or surrounding countries. There could also be an attempt to punish China economically, but that strategy seems limited in effectiveness, as China could also strike back through its own policies. On China's end, they will allow the United States to continue their navigation missions, as long as they do not attempt to take over or attack their claimed territories. Furthermore, I don't see China engaging diplomatically with any ASEAN members, as there is hardly any incentive for them to cooperate with surrounding countries. The ultimate takeaway is that China's actions in the South China Sea make them a serious contender as a world power. The United States takes this threat seriously, setting up a crucial future for foreign policy between the two countries.

Works Cited

Almond, Roncevert G. "Trade, War, and the South China Sea." *The Diplomat*, The Diplomat, 4 Sept. 2018.

Ashley, Richard K. "The Poverty of Neorealism." *International Organization*, vol. 38, no. 2, 1984, pp. 225–286. JSTOR, www.jstor.org/stable/2706440. Accessed 5 Mar. 2021.

<https://www.e-ir.info/2018/02/27/introducing-realism-in-international-relations-theory/>

Branstetter, Lee, and Nicholas Lardy. "NBER WORKING PAPER SERIES CHINA'S EMBRACE OF GLOBALIZATION ...". *NBER*, July 2006.

Buckley, Chris. "China to Unveil Military Budget after U.S. Asia 'Pivot.'" *Reuters*, Thomson Reuters, 2 Mar. 2012.

Cadell, Cate. "China Says U.S. Military in South China Sea Not Good for Peace." *Reuters*, Thomson Reuters, 25 Jan. 2021.

"China to Conduct Drills in South China Sea amid US Tensions." *Nikkei Asia*, Nikkei Asia, 26 Jan. 2021.

"China Military Spending/Defense Budget 1989-2021". *Macrotrends.Net*, 2021. Accessed 17 Mar 2021.

"China Naval Modernization: Implications for U.S. Navy Capabilities—Background and Issues for Congress." *Congressional Research Service*, 27 Jan. 2021.

"China-Vietnam Agreement (Published 2000)". Nytimes.Com, 2000,
<https://www.nytimes.com/2000/12/26/world/china-vietnam-agreement.html>.

Collier, John G, and Vaughan Lowe. *The Settlement Of Disputes In International Law*.
 Oxford Univesity Press, 2000.

“DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA -
 ASEAN: ONE VISION ONE IDENTITY ONE COMMUNITY.” *ASEAN*, 17 Oct. 2012.

Donnelly, Dylan. “South China Sea: Biden Issued Chilling Warning as War with Beijing
 'More Likely than Ever'.” *Express.co.uk*, Express.co.uk, 18 Feb. 2021.

Dupuy, Florian and Dupuy, Pierre-Marie. "A Legal Analysis of China's Historic Rights
 Claim in the South China Sea." *The American Journal of International Law*, vol. 107, no. 1,
 2013, pp. 124–141. JSTOR. Accessed 29 Jan. 2021.

Dutton, Peter. “U.S. Ability to Peacefully Resolve South China Sea Disputes Compromised
 by Its Non-Party Status to UNCLOS.” *Unclosdebate*, Unclosdebate, 4 Apr. 2013.

Feng, John. “USS John S. McCain ‘Expelled’ from South China Sea, Claims Chinese
 Military.” *Newsweek*, Newsweek, 23 Dec. 2020.

Florentino, Paolo. “The Strategic Value of Aircraft Carriers.” *Joint Air Power Competence
 Centre*.

Glaser, Charles L. “The Security Dilemma Revisited.” *World Politics*, vol. 50, no. 1, 1997,
 pp. 171–201. JSTOR, www.jstor.org/stable/25054031. Accessed 17 Mar. 2021.

Fels, Enrico et al. *Power In The 21St Century*. Springer Berlin Heidelberg, 2012.

Gomez, Jim. "ASEAN Takes Position vs. China's Vast Historical Sea Claims." *The Diplomat*, The Diplomat, 29 June 2020.

Hayton, Bill. "China's 'Historic Rights' in the South China Sea: Made in America?" *The Diplomat*, The Diplomat, 22 June 2016.

Heydarian, Richard Javad. "China Seizes Covid-19 Advantage in South China Sea." *Asia Times*, Asia Times, 17 Apr. 2020,
asiatimes.com/2020/04/china-seizes-covid-19-advantage-in-south-china-sea/.

Hu, Zuli. "Economic Issues 8 -- Why Is China Growing So Fast?" *International Monetary Fund*, IMF, June 1997.

Keohane, Robert O. "Governance In A Partially Globalized World". *American Political Science Review*, vol 95, no. 1, 2001, pp. 1-13. Cambridge University Press (CUP),
 doi:10.1017/s0003055401000016.

Kim, Patricia M. "Understanding China's Military Expansion and Implications for U.S. Policy." *Council on Foreign Relations*, Council on Foreign Relations, 17 May 2018.

Krasner, Stephen D. *Power, The State, And Sovereignty*. Routledge, 2009.

Larter, David B. "In the South China Sea, It's 'Meet the New Boss, Same as the Old Boss'." *Defense News*, Defense News, 11 Feb. 2021.

Lynn-Jones, Sean M. "Offense-Defense Theory And Its Critics". *Security Studies*, vol 4, no. 4, 1995, pp. 660-691. Informa UK Limited, doi:10.1080/09636419509347600.

Maizland, Lindsay, and Eleanor Albert. "What Is ASEAN?" *Council on Foreign Relations*, Council on Foreign Relations, 24 Nov. 2020.

McCurry, Justin. "US Takes Aim at China Territorial Claims as Biden Vows to Back Japan." *The Guardian*, Guardian News and Media, 28 Jan. 2021.

Mearsheimer, John J. *The Tragedy Of Great Power Politics*. W.W. Norton & Company, Inc., 2001.

Moravcsik, Andrew, Kenneth Waltz. "Taking Preferences Seriously: A Liberal Theory Of International Politics". *International Organization*, vol 51, no. 4, 1997, pp. 513-553. Cambridge University Press (CUP), doi:10.1162/002081897550447.

Nardin, Terry. "Distributive Justice and the Criticism of International Law." *Political Studies*, vol. 29, no. 2, June 1981, pp. 232–244, doi:10.1111/j.1467-9248.1981.tb00490.x.

Neuman, Scott. "U.S. Carriers Train In South China Sea In Likely Signal To Beijing." *NPR*, NPR, 9 Feb. 2021.

Ott, Marvin. "The South China Sea in Strategic Terms." *Wilson Center*, 14 May 2019.

"People's Daily Commented on the South China Sea Arbitration: It Belongs to Our Territory, and We Will Not Let It Go." 人民日报评南海仲裁:属于我们的领土, 我们寸土不让, *People's Daily Client*, 12 July 2016.

Perlez, Jane. "Philippines v. China: Q. and A. on South China Sea Case." *The New York Times*, The New York Times, 10 July 2016.

Phillips, Tom, et al. "Beijing Rejects Tribunal's Ruling in South China Sea Case." *The Guardian*, Guardian News and Media, 12 July 2016.

Pompeo, Michael. "U.S. Position on Maritime Claims in the South China Sea." *U.S. Mission to ASEAN*, 14 July 2020.

"Position Paper of the Government of the People's Republic of China on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines." *The South China Sea Issue*, Ministry of Foreign Affairs, the People's Republic of China, 7 Dec. 2014.

"PREAMBLE TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA." *United Nations*, United Nations.

Press, The Associated. "China Empowers Coast Guard to Fire on Foreign Vessels amid Territorial Disputes." *NBCNews.com*, NBCUniversal News Group, 23 Jan. 2021.

Polachek, Solomon W., et al. "Liberalism and Interdependence: Extending the Trade-Conflict Model." *Journal of Peace Research*, vol. 36, no. 4, 1999, pp. 405–422. JSTOR, www.jstor.org/stable/425296. Accessed 17 Mar. 2021.

"Recent Developments Surrounding the South China Sea." *AP NEWS*, Associated Press, 9 Mar. 2020.

"REPUBLIC OF THE PHILIPPINES v. PEOPLE'S REPUBLIC OF CHINA VOLUME I." *Permanent Court of Arbitration*, 30 Mar. 2014.

Singh, Swaran. "Spectre of China's Artificial Islands ." *ResearchGate*, ResearchGate, Aug. 2015.

Smith, Nicola. "China Expels US Ship from Disputed Waters in Fresh Escalation in South China Sea." *The Telegraph*, Telegraph Media Group, 22 Dec. 2020.

Taliaferro, Jeffrey W. "Security Seeking under Anarchy: Defensive Realism Revisited." *International Security*, vol. 25, no. 3, 2000, pp. 128–161. JSTOR, www.jstor.org/stable/2626708. Accessed 17 Mar. 2021.

"The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China)." *PCA*, Permanent Court of Arbitration, 12 July 2016.

"The Spokesperson of the Chinese Embassy in the U.S. Makes a Statement on the South China Sea Statement." *Chinese Embassy*, Chinese Embassy, 14 July 2020.

"The Spokesperson of the Ministry of National Defense Wu Qian Answered Questions on the Unauthorized Entry of US Ships into the Territorial Waters of China's Paracel Islands." *Ministry of National Defense of The People's Republic of China*, 27 May 2018.

Slaughter, Anne-Marie. "A Liberal Theory Of International Law". *Proceedings Of The ASIL Annual Meeting*, vol 94, 2000, pp. 240-253. Cambridge University Press (CUP), doi:10.1017/s0272503700055919.

"Statement of the DFA on President Aquino's Visit to China, August 18, 2011: GOVPH." *Official Gazette of the Republic of the Philippines*, 18 Aug. 2011.

Swaine, Michael D. "America's Security Role in the South China Sea." *Carnegie Endowment for International Peace*, Carnegie Endowment for International Peace, 23 July 2015, carnegieendowment.org/2015/07/23/america-s-security-role-in-south-china-sea-pub-60826.

Swaine, Michael D. "Chinese Views on the South China Sea Arbitration Case Between the People's Republic of China and the Philippines." *Carnegie Endowment for International Peace*, 24 Aug. 2016.

"Territorial Disputes in the South China Sea." *Global Conflict Tracker*, Council on Foreign Relations.

"Timeline: U.S. Relations With China 1949–2020." *Council on Foreign Relations*, Council on Foreign Relations, 2021.

"U.S.-China Strategic Competition in South and East China Seas: Background and Issues for Congress." *Congressional Research Service*, 18 Feb. 2021.

"United Nations Convention on the Law of the Sea." *United Nations*, 10 Sept. 1964.

Waltz, Kenneth N. "The Origins of War in Neorealist Theory." *The Journal of Interdisciplinary History*, vol. 18, no. 4, 1988, pp. 615–628. JSTOR, www.jstor.org/stable/204817. Accessed 17 Mar. 2021.

Woodward, Bob. *Rage*. Simon & Schuster, 2020.

Zhu, Xiaodong. *Understanding China's Growth: Past, Present, and Future*. *Journal of Economic Perspectives*, 2012.