ROLE OF SOUTH CHINA SEA IN FUTURE POLITICS OF ASIA PACIFIC: US INTEREST AND ROLE IN REGIONAL POLITICS

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ABSTRACT
The conflict in the South China Sea (SCS) is the new battleground of old-fashioned world politics which creates buzz everywhere. The third busiest sea route in the world is very significant for the region. Initially, the issue was raised among the six states for SCS reefs and islands which all occupy China. The pattern of world politics from past to present remains the same which is always favorable to power centered. Real politick supports powerful states whether they violate laws or give any baseless logic, accepted greatly. Might is right is the law of acceptance that can be seen in the past and today. It does not matter that the claimant or complainant justifies his claim the important part is how much power the state has to get what it believes belongs to them. The essay intended to discuss the importance of the sea for the regional states, the United States, the reasons for conflicts, Chinese-occupied territorial tactics, and the prospects of complete PRC occupation of the sea. The future political scenario of the region and the role of the USA will also be discussed.

KEYWORDS: Strategic Control, Regional Sovereignty, Quest for Hegemony, Historical Rights, Lucrative interest, Artificial Islands

INTRODUCTION
All six nations of the region have a territorial claim on different parts of the South China Sea. The recipient of all disputed territories is China due to its magnanimity and military strength. Beijing controlled all resources of the sea whereas the small other nations are just claimants. In 1947 China Published a map of the South China Sea with nine dashes which illustrated the claim of the PRC on SCS and its Islands. These dashes are shown in the given map to understand the Chinese position and the political stage of the sea in the Asia Pacific. The dashes covered all Paraceles and Spratly territories which clearly defined the Chinese hegemony and weak status of small nations of the zone.  In 1970 China started oil rig drilling near Paracel to begin using under the seabed resources which was the beginning of its intentions of building control and utilization of resources of the sea. During the 1990’s it starts constructing artificial islands to get more, and open sea possession. In 2013 China added 10 more dashes and include Taiwan in its claim.

For the past eight years, Beijing built numerous islands in the SCS, to intensify its strategic dimensions to coerce its neighbors. It has combed and claimed thousands of square feet of land in the SCS. According to Fang and Duan, the artificial island is built or created with sand and a rig in the sea, for oil and gas production equipment, public facilities, a storage tank, as well as, an unloading terminal can be set on the surface (Fang & Duan, 2014). These Chinese artificial islands have sophisticated set-ups including runways, support buildings, cargo docks, and communication facilities. They can deploy aircraft, missiles, and missile defense systems to any of these islands expanding their power projection by 620 miles, enabling China to strike any of the other claimants.

INTERNATIONAL LAW ON THE MEDITERRANEAN SEAS

The United Nations adopted the Convention on Laws of the Seas in 1982. The convention defined different terms and related conflicting understandings of sea territorial lands such as
- What is a true Island?
- What are the rights of coastal nations?
• The reasons for the extension of maritime zones.
• How closely are located nations bound to provide peaceful trade routes?
• How much can be Exclusive Economic Zone (EEZ) extends?
• What are the coastal nation's rights to natural sea life and resources?

Apart from the above mentioned concepts the convention also defined terms like Rocks, natural reefs, artificial islands, etc. All claimant nations of SCS signed and ratified the convention’s laws but it is clear that International law has no binding authority, and it is more a moral obligation than a law. Therefore, with all relevance, it cannot hold anyone to its violation.

SOUTH CHINA SEA
The respective Sea is located in the Pacific zone of Asia, surrounded by China, Taiwan, the Philippines Islands, Brunei, and Malaysia. It holds a very significant strategic, economic, and communicating position in the region.

It is the third most used trade route in the world. 50% of Middle East Oil & Gas transported from SCS to China, Japan, USA, and other countries of this part of the World.

All coastal countries of this sea claimed the national security importance of the SCS for their state thus it gets strategic importance for the region.

The South China Sea itself is rich in Fish, Oil, and natural gas resources. Hence embraces multiple territorial disputes.

There are two different groups of lands in the SCS that feature distinct them. One group consists of islands and reefs known as Paracel’s. The other group called The Spratly comprises more than 200 islands mostly consisting of Reefs, Corals, and rocks.

REGIONAL AND GLOBAL PIVOTAL ROLE OF THE SOUTH CHINA SEA
The crucial position of SCS in the world arena can be divided into multiple portions. It is an international sea highway for global trade, a treasure chest of energy resources, a heap of marine life, and a strategic gateway of the region, and can be the next bone of contention for world politics.

▪ Global Maritime highway
Almost more than 50% of mercantile traffic crosses through Malacca, Sunda, and Lombok straits. The oil tanker transport is also three times higher than the Suez Canal and five times greater than the Panama Canal, the EIA (Energy Administration Agency) of the US state department estimated that 30% of the global crude oil trade transport on this route which means almost 15 million barrels per day (Garcia, 2019:02). Similarly, 40% LNG (Liquefied Natural Gas) also imported by China, Japan, South Korea, and Taiwan crosses SCS. Therefore, the respective sea becomes the second most trafficking zone of shipping in the world. Another energy component like coal is also exported from Australia and Indonesia using this route to reach China and Japan.

**Energy Sources**

SCS is filled with heaps of energy resources which increased its significance for the region and the World. According to the EIA projects, the sea can fulfill the demands of fossil fuel in the region if the development of resources will increase by 2.5% annually by the countries who are holding control of SCS. Multiple territorial conflicts decrease the right amount of exploration of domestic oil and gas reserves. The official of the Chinese Ministry of Land Resources Zhang Dawei claimed that SCS might hold 23-40 billion tons of oil reserves (Emmers, 2010:77). This figure is far more than the present seaward resources of China. He also claimed that the sea may contain more than 2000 tcf of natural gas reserves (Ibid, 77). Whereas EIA estimates that the sea might contain 11 billion barrels and 190 tcf of natural gas reserves. These numbers illustrated the modern-day treasure of the SCS.

**Marine Life**

The SCS is in the top five zones that provide fishery to the world where 12% of the world’s fishing occurs and more than 3.7% of million workers get employment thus the South China Sea is the key component of the Global economy. This fishery industry, on the one hand, provides financial benefits and on the other hand, it become the reason for severe biodiversity, and extraction of marine resources as a Chinese ecological study suggested that almost 1027 fishes, 91 kinds of shrimps, and 73 cephalopod species are extinct and not found in the sea since 1995 (Khemakorn, 2006: 18). A large amount of shipping creates environmental concerns for marine life of the sea as well as the huge number of fishing also become the reason of extinction of many species.

**Strategic Gateway**

The South Sea China has ample strategic significance for the surrounding states. Particularly after the proactive engagement of Japan in regional disputes. Tokyo increasingly provides support to East Asian states who are claiming territorial disagreements in the SCS. In 1992, China increased its Contiguous zone and claimed sovereignty over Spratly and the Senkaku/Diaoyu Islands. These actions and assertive Chinese policies increase regional security tension for other smaller states and provide the opportunity for Japan and the US to intercede and provide support to other nations like the Philippines, Taiwan, and Vietnam. After the Chinese assertive policies, the other nations increased 60% of their defense spending. The SCS nations have no match with the Chinese security
capabilities but with the help of the USA and Japan, these small nations can ally against hegemonic China and destabilize regional peace.

THE PHILIPPINES' CLAIM ON SCS
The Philippines' claim on SCS has based on the principle of terra nullius (The term used in public international law to describe land without a Master or owner (LLI, USA). The Manilla authority claimed that the islands in SCS were not occupied by anyone until 1947 when the Philippines claimed their sovereignty over them. They were called Spratly as new southern islands. Carlos P. Garcia, foreign affairs secretary requested allied forces to give the jurisdiction of these islands to them. In the same year, their businessman Tomas Cloma established his settlement and declared them a protectorate (Garcia 2019: 24). The Government also gave the name of the group of islands “Kalaya’an which means “Freedomland” (Hong, 2012: 18). Finally in 1978 Philippino President Ferdinand Marcos ordered presidential decree No. 1596 and officially declared that Kalaya’an is the part of the State (Banlaoi, 2012: 24).

Philippine's claim is also based on past treaties signed in 1898, 1900 & 1930. These treaties provide it with a claim on the water between its baselines. The country called it the “Philippines Treaty Limits” (PTL) or ‘Philippines Box and establish its sea territory (Schofield & Storey, 2009: 27). All these claims increased the EEZ of the country. In recent years The Philippine regime more emphasizes on Principle of terra nullius rather than PTL because this justification is undermined by UNCLOS due to the ratification of the Archipelagic Baselines Act by the Philippines Congress in 2009 (Ibid, 28). Whereas, the terra nullius principle is more apt because, before the Japanese surrender in 1945, the whole sea territories were under its rule, and by the treaty of San Fransisco Japan can not yield its claim on islands which gives the ‘trust’ status to the islands. The ‘trust’ status annulled the past position of the land.

In 2013, the Philippine regime submitted its claim for arbitration to the PCA (the permanent court of arbitration) for the invalidation of the Chinese claim but the Beijing rejected such action and challenged the PCA's Jurisdiction of hearing the case. The hearing continued for many years but the absence of China ended it with no result. Thus the dispute over territorial control is still alive between the two nations.

VIETNAM'S CLAIM ON SCS
Vietnam's claim is also based on ancient customs. The regime claimed over the Spratly Islands based on Le Thanh Tong's reign dated back to the 15th century. This historical claim is again strengthened in the 17th century. Vietnam like China presented archeological facts related to its claims. Hanoi regime’s claim extended to the Paracel islands based on French colonial rule. As Vietnam was a colony of France from 1884 to 1946. During the Sino-French war in 1884, the French announced their rule over the entire Paracel and Spratly islands hence Vietnam claimed both groups of the island on these bases (Rowan, 2005: 224). As well as Hanoi also uses the
principle of terra nullius like the Philippines. According to the regime, The territories were not claimed by anyone before the French empire therefore, they were the first master of these islands. In 1974 Chinese evicted the Vietnamese from the Spratly after a fierce naval battle. Although, Vietnam also made settlements in the Spratly called Dao Troung Sa, the largest settlement in this chain of islands.

Vietnam Signed a treaty with Indonesia in 2003 for continental shafts and the EEZ limits between the two nations. As well as made arrangements in the Gulf of Tonkin with China. At the same time, it wanted to strengthen its rule over the Spratly, for this arranged elections in 2007 and elected the parliament representative from the Dao Troung Sa. Hanoi also submits his position in the CLCS (Commission on the Limits of the Continental Shelf) of the United Nations with Malaysia over the EEZ limits in 2009. Apart from all these efforts the Chinese regime rejected to accept any of such claims and jurisdiction of any international commission.

**CHINESE CLAIM ON SCS**

Peoples Republic of China (PRC) officially declare its sea territories on 9 September 1958. by the proper Declaration on China’s Territorial Sea. In this official document, PRC first time manifests its claim over the SCS. The declaration proclaims:

"The breadth of the territorial sea of the People’s Republic of China shall be twelve nautical miles (nm). This provision applies to all territories of the People’s Republic of China including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands, the Dongsha Islands, the Xisha Islands, the Zhongsha Islands, the Nansha Islands and all other islands belonging to China which are separated from the mainland and its coastal islands by the high seas"  

This claim was again asserted by Beijing on 25 February 1992 because the regime wanted to use UNCLOS’s article2, to justify their claim on the sea hence able to increase their EEZ without any objection but the suggested article was not clarified their position indeed it did not explain their claim at all.

China officially presented its claim based on “Historical Rights” on June 26, 1998. It was an effort to get recognition of their claim on SCS by international law, get entitled rights, and eradicate all conflicts over the territorial sea. Beijing was in some Euphoria because the other five nations were also claiming on the same basis of historical versions. When Vietnam and Malaysia jointly submit their case to UN Commission on the Limits of the Continental Shelf in 2009, in response PRC send a diplomatic note which declare its sovereignty on SCS islands as:
“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. The above position is consistently held by the Chinese Government and is widely known by the international community”.

The diplomatic note contained the PRC official proclaimed map with nine-dash lines which clarified their sea territory and their EEZ jurisdictions. Beijing also submits another diplomatic note on 14th April 211, in response to the Philippines’ objection to the previous note. In 2013 Philippines file a case called the South China Sea Arbitration case in UNCLOS, due to the Scarborough Shoal incident. PRC issued its position paper on 7th December 2014, challenging the authority of UNCLOS over sovereignty issues and refusing to accept and participate in such a trial. On 12 July 2016, the respective court refuse the sovereignty of China on SCS, the archipelago, and defined six conflictual areas but did not clarify the legal position of the Islands. Chinese Foreign Minister in their position paper not only authorize their claim but also explain the historical reasons for their authorization, as:

“Chinese activities in the South China Sea date back to over 2,000 years ago. China was the first country to discover, name, explore and exploit the resources of the South China Sea islands and the first to continuously exercise sovereign powers over them” (http://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1217147.shtml).

Thus, Chinese claims are based on historical rights, and its hegemony in the region, as no one in the region has enough power to challenge the domination of the PRC.

OTHER NATIONS CLAIMS OVER SCS

- **BRUNEI DARUSSALAM**

The Brunei claim lies on Louisa Reef, Owen Shoal, and Rifleman Bank, all located along the territorial water of the smallest nation in the region. The SCS regional states have more interest in economic development rather than strategic control, hence Brunei is more active after the 2016 UNCLOS arbitral tribunal award.

As a small nation Brunei does not want any escalating adventure with China but at the same time it does want to leave its interest. All southeast states are worried about increasing Chinese naval activities around them. In July 2020 Brunei Ministry of foreign affairs released a “two-step approach” to develop its strategic growth, which means they are open to bilateral & multilateral resolutions for all the issues. This statement is the announcement of a silent country like Brunei that it realizes the significance of the SCS and the escalating hegemony of China.
**MALAYSIA**

Malaysian claim lies on EEZ, which is based on the United Nations Convention on the Law of Sea (UNCLOS) 1982. The islands-based country only wants to get its legal right of naval security of its exclusive zone and freedom in the Malaca strait, which is compromised by the Chines dash-line in SCS. The country presented its case to ASEAN (Association of Southeast Asian Nations) in 2019, to strengthen its position in the region. It raised its voice in front of the world to secure its legal rights in the SCS. Although since then many changes occurred in the government their stance remained the same.

**TAIWAN**

Taiwan has had multiple issues with PRC since its separation from the country because Beijing never accepted its independence. In 1947 when China, published its sea territories along with 9 dash-line maps, they made reclaimed Taiwan and created a security threat to the small island state. In 2010, China made 10 more lines over SCS which cover almost the whole of Taiwan thus, created serious security concerns for the small Asia Pacific nation.

**LEGAL POSITION OF CHINESE CLAIMS AND POLITICAL ACTIONS OF THE WORLD**

The Chinese claim over SCS has three parts:

1. control over the South China Sea islands to internal waters, territorial sea, and connecting zone,
2. sovereignty over the SCS islands’ exclusive economic zone (EEZ) and a continental shelf (CS)
3. A claim based on the concept of ‘historic rights’ in the South China Sea.

All three parts of the Chinese claim receive criticism from the legal and political forums. Particularly the nine-dashed lines offered no coherent legal basis. The Arbitral Tribunal also rejected all Sino claims in its decision on July 12, 2016, which was refused by the Xi regime immediately. The legal basis of the maritime claims of the Chinese and the Philippines was the same hence it created confusion that which claim would entertain so disdained by the tribunal.

The Chinese EEZ claim and activities created serious issues for Malaysia, Indonesia, the Philippines, and Vietnam in fisheries and oil and gas resources, particularly in Scarborough Shoal near Spartlys. All neighboring nations rebuffed the Chinese activities and there is no such legal example exists in international law today.

The third claim is solely based on the historical rights of both the Parcels and Spartlys reefs is also has no lawful bases thus refused by all legal factions because that claim also lacks historical and authorized witnesses.
Similarly, all three claims were refused by all regional and global political factions. The United States re-visited its defense policy and budget. Trump administration announced to increase in its military bases in the Asia Pacific. They also increased defense aid for the Philippines and Taiwan. On the other hand, initiating mutual efforts by becoming a part of the AUKUS and the “Quad”: security cooperation creates pressure on the Chinese regime.

**AUKUS** is a three-way strategic defense alliance between Australia, the UK, and the US, declared on 15 September 2021, primarily to build a nuclear-launched submarine, but also to work together in the Indo-Pacific region, to counter China is seen as an increasing threat, and develop wider technologies (The Guardian, 17 Sep 2021).

The “Quad”: security cooperation was also the US-initiated effort to create an Indo-Pacific strategy and regulate Chinese hegemony in the region by developing a regional alliance between Japan, India, Australia, and the United States. The Biden Administration transformed the Quadrilateral Security Dialogue of 2008 into the “Quad” in 2021 (Smith, May 27, 2021). All four statesmen agreed to control the domination of Beijing in the region mutually and the need to join efforts to create peace in the Indo-Pacific. The ASEAN is another platform that also uses by the political leadership to raise their voices as all other claimants other than China are members of this regional organization.

**THE ASEAN'S ABSTRACTED ROLE IN SCS DISPUTES SETTLEMENTS**

Among the ten member states of the ASEAN (Association of South East Asian Nations) five are involved in SCS disputes therefore the most rightful platform for them was the forum of their regional organization but surprisingly the podium is not as helpful for them as it supposedly is. The reason is very clear the magnanimity of China which is beyond the reach of such an INGO where the rest of the claimants are very minute in size and power. Instead of this unparalleled challenge, ASEAN played its part in 2002, Association of South East Asian Nations signed the Declaration on the Conduct of Parties in the South China Sea (DOC) with the PRC (Simões, June 23/2022). It was a non-requisite declaration means its signatories can be backed off or resolve disputes voluntarily. The Declaration was nonbinding in nature therefore it was not very conclusive. Since then the organization’s major success is the maintenance of regional peace rather than dispute settlement. Most countries do not want any conflict with Beijing because of the heavy economic reliance on Beijing and want them to solve their disputes bilaterally. The Lack of interest of the other five members of ASEAN forced SCS claimant nations...
to look to the United States for help because the colossal supremacy of China cannot be handled by them.

THE US INTERESTS IN THE SCS
The United States is officially neutral in SCS and mostly indicated its concerns on free trade routes and navigation rules as international laws for free sea elucidation. But the world knew about the national interest of the USA in the Asia Pacific region. The US forms SLOCs: sea lines of communications in SCS for securing navigation freedom making an obligatory code of demeanor as well as other CBMs. Thus the US wanted commercial, and strategic freedom of SLOCs in SCS. This is only possible when Chinese territorial control must be restricted to its normal position. Therefore, The White House refused the Chinese “nine-dash line” as it threatened International freedom of navigation.

The US has more concerns related to surveillance because after creating many artificial Islands the free space on SCS for investigating flying is minimized and most of the US aircraft have to fly and naval ships have to sail very close to the Chinese sea territories which can become the reason for any mishap between two powers. Even US aircraft many times fly over Chinese-occupied reefs, islands, and artificial islands.

Beijing complained many times about the US violations and misuse of FONOP only for controlling Chinese hegemony in the region. This allows the Sino regime to deploy anti-ship missiles in the Spartlys to increase its power which can strike about 300 nautical miles range can easily target any vessel within this range (Barker May 18, 2018). On edifice the missile site, US Admiral Philip Davidson said;

"China is now capable of controlling the South China Sea in all scenarios short of war with the United States," and "would easily overwhelm the military forces of any other South China Sea claimants" (Ibid).

This was an open challenge to the US status in the Asia Pacific and an open claim of territorial hegemony in the region for other territorial claimants. The White House has taken the challenge and decided to continue its activities in the region as from 2019 to 2022, the warships of the US sail into the Taiwan Strait and continue military aiding to Manila. The US Warships continue sailing disputed waters amid trade ships. The US Air crafts constantly flying in no-fly zones. After the regime change in the US, the tone of actions in SCS was transformed into vocals rather than visuals. Biden regime start bashing the Xi government on their actions in disputed waters.

In response to the Chinese actions, the US Secretary of Defense Lloyd Austin during his visit to Japan said that they are forming an “unparalleled network of alliances and partnerships” as a “profound source of stability” in the Indo-Pacific showing the commitment to a region “in which
all countries—large and small—are free to thrive and to lawfully pursue their interests, free from coercion and intimidation”(Polling, 22/08 2022).

The United States signed multiple defense treaties with Japan, South Korea, the Philippines, and Australia as well as made defense partnerships with Vietnam and Indonesia to guard its security interests and control thus Washington does not allow anyone of its ally to escalate its power beyond the line drowned by it. The Chinese actions created apprehensions among allies about their security. The diplomatic failure of maritime territorial disputes leads to military buildup in smaller nations in the future. Scholars believe that the US wanted to remain dominant among its allies in the region and does want it's dependent to be powerful in lately.

CONCLUSION
Famous Realist thinker Morgan Thaughu rightly said that power maximized levels of its misconduct as shown in the region of South East Asia where the Chinese dominance and constant course of its maximizing actions in the SCS challenge every territorial disputed nation as well as international laws for Mediterranean sea and navigation. Since 2009, when Beijing published the SCS map with dashed lines, the regime continuously built artificial islands to occupy more and more sea territory. The sole reason behind these actions is the absence of actual counterpower which should belong to the same terrain. The counter states like Vietnam, the Philippines, or Malaysia are too small in size and force. Thus they are unable to control the humungous PRC for their provocative actions.

The United States entered apparently into conflict because of navigational issues and the excessive construction of artificial islands in both Parecles and Spartlys which minimize the free sea routes for shipping. As a global power, this is not the only reason for its curious behavior regarding Chinese activities in the region. Particularly after the war against terrorism, the US wants some other battleground or place where it can remain the center of attraction in world politics, therefore with the Middle East Washington also focused on the SCS conflicts and become part of it to show the position and its importance in world politics.

Although, it is an old school politics or we can say that the style of the previous century politics but the US think tank still believes in it where Superpowers enter the matters of smaller nations and pretend that global life depends on them and they are the savior or fight for survival for rest of the world. The White House's hypocritic face is so visible in Asia Pacific politics as it is the number one investor in China as well as the largest importer of Chinese goods. In 2020 the US was the largest importer with $434.7 billion of goods as well as $123.9 billion in direct investment which is 9.4% higher than in 2019 shown by the direction of regimes approach and policy (Office of the United States Trade Representative). Any kind of security restrictions or financial sanctions against Beijing from the US is beyond imagination in such a scenario because it directly creates an impact on itself. The possibility of any Military action against China is also quite impossible because,
although the USA holds military bases in the Philippines and Taiwan, the US Defence policy in the SCS is impractical and confusing more like a word game rather than turn into action because the financial aspect greatly involves in it and it seems that China will gradually achieve all its targets in the region. The other stakeholders are not capable enough to create any serious hurdle, international organizations are not powerful and other regional powers are busy dealing with their beneficial matters with Beijing and have no time to pay attention to what international law said or morality believes. That’s how world politics proceed from past to present only the difference occurs is the ground is modified from military to economics the behavior remains the same.
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