



RESEARCH PAPER

Geopolitics in Deep Waters: The South China Sea Dispute and Strategic Global Shifts

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ABSTRACT

The South China Sea (SCS) dispute is one of the most burning issues in contemporary international politics. Mainstream academia and scholarship are rigorously investigating various dimensions of the dispute. The present study attempts to analyze the conflict of interest of various states in the South China Sea region and the consequences of rising assertiveness from the contesting parties. The study adopts qualitative methodology and analyzes the data collected from various sources of literature utilizing a thematic analysis. The study analyses the problem in the paradigm of Offensive Realism and argues that rising assertiveness and the compromised nature of international law will subsequently lead to regional and global instabilities. The study further suggests that the enhancement of the international sea regime and peaceful settlement of territorial disputes between the contesting parties can potentially reduce the risk of military confrontations in the South China Sea region.

KEYWORDS FONOPs, International Stability, Offensive Realism, South China Sea, Strategic Shift, Territorial Disputes, UNCLOS

Introduction

The SCS is one of the most important maritime areas which is rich in demographic features and energy sources and has gained its membership status on the world map gradually. China and almost all of its neighbors in Southeast Asia have some overlapping and even conflicting claims with China over territorial rights in this region. The SCS is a relatively small body of water and has numerous island groups that add to the complexity of the delimitation process. At the same time, the SCS is surrounded by several archipelagic states which themselves have complicated maritime boundaries. UNCLOS which was ratified in 1994 offers provisions on setting maritime boundaries. Although those countries, as UNCLOS' signatories, at least look to UNCLOS as the legitimate interpretation of the rights in the sea and as the standard to refer to when defining their maritime rights within the SCS, China, also as a signatory to the UNCLOS convention, has not recognized the UNCLOS as precluding its historical sovereignty claims. Interestingly these claims squarely transgress the rights of the neighboring States as provided by UNCLOS. There is tension and dispute with China due to its aggressive assertiveness in claiming its hegemony in the SEA region. Since the SCS has gained rising strategic significance, not only regional but superpowers like the United States and Japan also joined this regional conflict (Schofield & Storey, 2009).

China is the most influential of all the six countries that lay claims to the sovereignty of the SCS. As one of the World's most prolific universities, it has a large academic base and has rich history that it can bring forward in support of the allegations of sustained maritime activities in the region. China has rapidly enhanced its economic position in the world

economy in the last few decades which turned into a stronger political and military power. Therefore, there was no possibility of resolving the conflict other than following the approval of China. However, repeating the issue of the SCS dispute, Chinese officials have been avoiding giving out compromises in terms of sovereignty. Although there have been occasional cases of diplomacy, China still actively pursues behavior that hinders the work to resolve the situation (Hooper, 2015).

Vietnam's position on the SCS is well grounded on historical records and the Vietnamese sovereignty that they inherited from France as a colonizing power; Vietnam is rather confident with its legal positions on the issue. This constant position adds another layer of thorn when it comes to the search for a solution to the confrontation over the territories. Philippines, Malaysia, and Brunei likewise backed the claims with international law elements. The nearest to the territory of the Spratly Islands is the Philippines, which under the 1982 UN convention of the law of the sea for archipelagic states has proximity to it and has endeavored its discovery in 1956 to add legal pride in its claim. Both the countries Malaysia and Brunei lay claim to some part of the Spratly Islands Group by citing the qualitative provisions of the United Nations Convention on the Laws of the Sea (UNCLOS). Some of the statements advanced here may not carry the full weight of the law with appropriating institutions, yet the physical encroachment and occupation of these elements complicate the conflict further (Hu, 2021).

Further, the so-called freedom of navigation operations (FONOPs) are performed by the US Navy to challenge excessive claims of international law as applied to the maritime sphere beyond the UNCLOS provisions. China considers these operations as unlawful and intrusive and it perceives them as a move in the militarized process. The Chinese dissatisfaction over the U.S. presence in the SCS resulted in a lot of encounters between the PLAN and the USN warships that were often provocatively close to each other (Pashakhanlou, 2017).

The present study focuses on two of the most probable contingencies in the SCS that will bring a face-off between the US and China. The existing China's political-strategic rivalry with its neighbors suggests the nature of relations where the US gets drawn in as a third party for one or more Southeast Asian governments. Moreover, China's hostility coupled with its disapproval over the US's FONOPs in SCS may even spark conflict between China and the United States. This study attempts to define the factors that might bring the escalation of a territorial dispute between China and some countries of the Southeast Asia region with the participation of the USA. Secondly, the present study also aims to determine the situations in which the US FONOP in SCS could lead directly to a military confrontation between China and the US, and estimate the strategic, diplomatic, and economic considerations.

Literature Review

The SCS is an area of divergent and overlapping claims where nearby countries have declared different and occasionally overlapping territorial claims. This can be seen as aggravating the problem since China continues to refer to its history as a source of entitlement to the seas, while its neighbors have attempted to base much of their entitlement on UNCLOS and the seas' borders it delineated to offer a degree of order to the situation. Even though the US does not take sides or support territorial sovereignty disputes, the latter is highly interested in the area. The US Navy regularly carries out Freedom of Navigation Operations (FONOPs) to dispute and counteract excessive maritime claims, while upholding the freedoms of the sea as defined by the UNCLOS (UNCLOS). China strongly opposes the presence of the US Navy in the area. China's territorial claims in the SCS trace its origins to as early as the fifth century BCE, with the introduction of the phrase "southern sea" in Chinese lyric literature.

Many cartographers and the Chinese government only started to become increasingly concerned with the drawing of China's line of control in the SCS at the beginning of the twentieth century. By 1947 the territory of the SCS was marked by eleven outer dashes as China sought to secure its claims. This map after the war, was published in 1948. However, in 1953, two dashes were erased, thus creating a problematic "nine-dash line" which remains a cause for concern today. Uncertainty about the territories of China started when the nine-dash lines were used to define its borders ambiguously. In the nine-dash line boundary area located in the SCS China lays claim to overstepping fishery resources and undermining neighboring countries' rights (Xuetong, 2016).

The four neighboring in the SCS include the Philippines, Vietnam, Malaysia, and Brunei currently hold territorial claims in the SCS which contradict China's nine-dash line. In particular, Vietnam lays territorial claims to the SCS archipelagos of the Spratly Islands and the Paracel Islands, for they are closest to Vietnam. In addition, the Philippines has sovereignty over the Spratly Island chain because they are geographically located nearer to the Philippine land Mass. To counter these claims, China has issued many official positions proclaiming full Chinese jurisdiction over all the territories of the Spratly Islands. Moreover, the Philippines had specifically claimed the Kalayaan Island group in 1971 which geographically is part of the Spratly entities (Grady, 2016).

Before the signing of the United Nations Convention on the Law of the Sea, the position that held much currency with the Western world was to regard a major part of the Earth's seas as a common heritage of mankind hence not a subject of domestic legal jurisdiction. By presenting maritime freedom in 1609 Hugo Grotius set the precedent for today's legal theories. According to the 'cannon shot' rule defined by Cornelius van Bynkershoek, this limit was 3 nautical miles; it represented the classic claim of coastal nations. Any water space beyond 3 miles was considered as international waters. This division lasted until early in the twentieth century when more territorial sea claims were made to gain better control over fish stocks and offshore minerals. In late 1945, in the course of defining the continental shelf as an annexed area, President Truman of the United States single-handedly declared American authority over this zone, and other states followed a similar line claiming rights over adjacent sea waters. This laid the groundwork for the gradual definition of territorial seas and authorities through the ratification of UNCLOS (Guoqiang, 2015).

Beginning in 1956 discussions on the United Nations Convention on the Law of the Sea progressed and many rounds of dialogue followed. This led to the signing of the UNCLOS III on the 10th of December, 1982, and went into force on the 16th of November, 1994. UNCLOS recognizes the legal maritime entitlements and jurisdiction of the coastal state concerning issues such as the right of passage and the economic resources of the areas of the deep sea bed mining. China and its neighbors Malaysia and Brunei are in rivalry over the ownership of the islands of Spratly and Scarborough Shoal in the SCS. China has vehemently denied and fought for Philippine and Vietnam rights on a matter hence triggering more significant disputes and animosity. China also took military control of the Parcel Islands in 1974 by expelling the South Vietnamese forces that were stationed in the islands. At present, Vietnam holds twenty-nine islands from the group of islands in the Spratly archipelago. Since 1949, the Philippines has shown a desire in investment such as mining and marine scientific research and in the protection of the environment of some of the islands in the Spratly archipelago within its territory (Clapper, 2016)

Territorial waters are also called Territorial seas. This zone is a 12-nautical mile belt extending seaward from a nation's baseline. In these waters, the laws can be set and regulation of natural resources as well as control can be exercised as desirable by any country. However, foreign vessels can only innocently pass through the territorial seas, an archipelagic state can enclose its archipelago with straight baselines connecting the outermost points of the islands of the archipelago. They provide the base upon which the

territorial sea and other maritime zones are defined. Outside of the territorial sea up to 12 nautical miles there is the EEZ or Exclusive Economic Zone where the coastal state has specific rights to explore and exploit the resources of the sea and sea bed for activities related to the sector up to an increase of 200 nautical miles. In the EEZ, they exercise sovereign rights over the resources of the sea area including the biological resources of both the classic and new generation. Foreign nations can maneuver and soar over the EEZ and lay down submarine pipes or cables, but the coastal state has jurisdiction over the economic activities in this region. Geographically, an island is referred to as a piece of land that remains at least part of the time at high tide. This means that the shelf formations with which structures cannot maintain habitation or economic life do not have territorial seas or an EEZ. Moreover, artificial islands and installations do not have the legal status of naturally generated islands and can exercise no sovereignty or EEZ rights (Zhang, 2018).

Since 2013, legal action against China's maritime claim was initiated through a case under the PCA in The Hague under UNCLOS. This case arose from continuous disagreements about borders with countries around China. China never accepted the jurisdiction of the arbitration and refused to be involved in the arbitration process of the case. But, to China's displeasure, the panel proceeded with the case (Ying, 2016).

As seen in the case of the Philippines, the tribunal ruling was a resounding victory against China and a rare legal blow to Chinese assertions and conduct in SCS. In general, the tribunal supported the claim of the Philippines that maritime rights should be made under the UN Convention on the Law of the Sea and not historical lines such as the nine-dash line of China. More particularly, the tribunal concluded that none of the landmarks in the Spratly Islands qualifies for an EEZ under the UNCLOS. This means that the Kalayaan Island group falls strictly within the EEZ of the Philippines: this would give China no ground upon which to base its illegitimate actions in surrounding water territories. According to UNCLOS rules laid out by international law the Philippines owns special rights over the resources found around Kalayaan Islands. Thus, when the Philippines argued China unlawfully barred Filipino fishing in this area, the tribunal did find it. The PCA became the first UNCLOS arbitration referring directly to the SCS disputes. After the release was disseminated, China's Vice Foreign Minister Liu Zhenmin said it was a "meaningless document that no one would respect." He has some truth in his assertion that the tribunal does not impose its decision or sanction non-adherence. Also, it has no jurisdiction over the critical problem of territorial sea, since it does not fall under UNCLOS. Instead, all the tribunal decided was to which maritime zones the island's status could give rise under UNCLOS. In the legal sense, this is a big win for the Philippines, but in reality, its effect may not be as profound due to China's decision not to take part in the case and never accepted the ruling nor obliged by it since no way can force China to act otherwise (Smith, 2013).

Material and Methods

The present research utilizes qualitative research methods in particular, where the concern is analyzing secondary data derived from the literature review. This approach enables the researcher to analyze and understand the complexity of the SCS dispute as supported by a literature review of published academic articles, government reports, legal documents, policy papers, and expert opinions and analyses. This analysis utilizes multiple sources to examine the political, legal, and military aspects of the conflict as well as the strategic moves of the actors involved including China, America, and Southeast Asian nations. As such, the use of the qualitative method is appropriate in this research study since it allows a deeper understanding of issues, patterns, and relationships within the larger geopolitical environment of the SCS. (Creswell, 2014).

The utilized method of analysis for the data in this study is thematic analysis, which is a technique that aims to analyze and recount patterns or cycles in the collected literature. Thematic analysis facilitates the identification of the given themes that are relevant to the

study of the dynamics of the dispute over the SCS, including sovereignty, power play, and security at sea. The method entails the systematic process of coding the selected literature to develop themes that are relevant to the study goals and objectives. For instance, analytical perspectives such as China's strategic concerns, FONOPs from the US perspective, and the role of 'law in the use of force', are determined and elaborated to address the research queries of the study. Thematic analysis is advantageous in that it allows for the flexibility of dealing with any type or combination of data while at the same time maintaining rigor and relevance with contemporary incarnations of the methods (Braun & Clarke, 2006).

The focus is on credible, authoritative, and, relevant data collection common to the contemporary geopolitical discussions about the SCS. Secondary sources constitute academically sourced and recently published articles based on theoretical reviews of the ASEAN -China dispute, official ASEAN and the United Nations policy papers, and official statements by ASEAN member countries. In using thematic analysis of these sources, the research can generate contextualized conclusions as to the causes of conflict, the superpowers involved, and the implications of military and diplomacy in the region. Thus, this methodology produces a comprehensive and proactive approach that is appropriate for the constantly developing situation in the SCS. (Silverman, 2013).

This study adopts constructivism as its epistemology because the knowledge regarding international relations and territorial conflicts is constructed within the discourses and practices of the various actors. This is in synchronization with the qualitative orientation of the study emphasizing how various actors perceive and respond to the subtle power relations that define the SCS. Ontologically, the study is based on a relativist perspective to suggest that there is no singular 'truth' in international relations but rather multiple truths framed on the perception and national self-interest. These positions oversee the conduct of the research methodology for the study of the SCS controversy for their unique approaches to the issue with consideration to the intended motivation, perception, and strategies of the players involved. (Guba & Lincoln, 1994).

Theoretical Framework

Drawing from the realist tradition, the theory of Offensive Realism in International Relations provides the lens through which we can understand the validity of certain dynamics concerning the SCS conflict. It is important to remember that according to offensive realism, the state of nature of the world system is anarchic in particular and requires the state to strive for the maximum amount of power to survive (Mearsheimer 2001). This theory offers an analytical framework to examine the dynamics surrounding the SCS conflicts. Key to offensive realism is the notion that the anarchic structure of the global order compels states as a matter of self-preservation where they pursue maximum power gains (Mearsheimer, 2001). Applying this perspective to the case of the SCS emphasizes how the strategic moves of China and the ASEAN nations together with extra-regional actors like the US are all about the contest over power and control of the sea. The consequences of such geopolitics may also have profound effects on stability in a particular region and on the global stage shortly.

The control or contest for territory, resources, and strategic advantage are the driving forces in the SCS dispute. Offensive realism makes premise to the idea that rather than focusing on the Self-help doctrine that only focuses on the state's security, actors seek to have a relative gain compared to other actors. This results in the formation of a conflict perpetuating hegemony (Waltz, 1979). By asserting its authority in the SCS through the nine-dash line map, China seeks to dominate this region. The management of the SCS by China as a rising power is well spelled in the theory where Mearsheimer asserts that great powers always aim at controlling regions to expand to other regions. It is not just the historical grievances or the disputes over natural resources, but the way Beijing is pursuing

hegemonic dominance in Southeast Asia as a part of its effort to unseat Washington in the Asia-Pacific region.

Offensive realism suggests that the states in the international relations system are inherently security seekers and are unconvinced of other states' good intentions. This is because there is no global hegemon to bring order (Glaser, 2010). This creates the everlasting dilemma of insecurity that puts the states on the preemptory offense as the only form of defense. The Chinese military activities together with their claims in the SCS reveal this pattern among nearby nations and the United States. Though presented by China as a pre-emptive or reactive measure of asserting its territorial and economic sovereignty, it's all more fitting to the framework of offense realism where these actions are viewed as part of a grand strategy of assertiveness and signaling power to potential challengers including the U.S.

The FONOPs conducted by the United States in the SCS can also be best explained utilizing the principles of offensive realism. The US being the world's superpower needs to sustain the status quo in the Asia-Pacific region to continue enjoying dominance. To the dispositions of the offensive realists, the FONOPs not only deny China its sovereignty rights to the territories but also ensure their meant audience about the muscle and ally up for it. According to this perspective; if the U.S. does not restrict the growth of weaker nations, they risk losing their greatest influence and security over time. This is evident today when through FONOPs, America demonstrates that it will not allow anyone to destabilize today's world order, let alone confront them in an armed conflict with China.

The 'security dilemma' is yet another concept associated with offensive realism (although a principle element of defensive realism), showing that measures taken by states to enhance their security might decrease the security of other states, and might lead to conflicts. When one state takes measures to enhance its security such as China's construction of military bases on artificial islands, other states interpret these actions as aggressive, leading them to bolster their defenses (Jervis, 1978). This cycle of action and reaction increases the likelihood of misperceptions, miscalculations, and ultimately, conflict. In the SCS, China's militarization has prompted Southeast Asian states to seek closer security ties with external powers like the U.S., Japan, and Australia, thereby intensifying regional tensions. Offensive realism underscores that this spiraling competition is a natural outcome of the anarchic international system, where states are locked in a perpetual struggle for power and influence.

Another set of structures that can be named as relevant to explain the strategic behavior of the SCS dispute is economic structures. For a state to influence global politics, it must leverage its economic resources (Schweller, 1998). For China, the SCS is not only a territorial and security concern but also an economic gateway, given the sea's rich reserves of hydrocarbons and fisheries as well as its significance as a major maritime trade route. Control over the SCS would enhance China's energy security and its ability to project power throughout the region, aligning with the offensive realist prediction that states seek to control resources that can bolster their relative power. Similarly, the U.S. and its allies have economic interests in ensuring the free flow of commerce through the SCS, further complicating the strategic calculus.

Diplomatically, offensive realism predicts that great powers will attempt to isolate their rivals and form alliances to counter emerging threats. The US has stepped up military cooperation with the Philippines, Vietnam, and Japan in the SCS region to counter China. On this score, this strategy of balancing power can be categorized as an offensive realist view – particularly, the suggestion that states form alliances to pre-empt potential regional hegemonic threats to their interests (Mearsheimer, 2001). On the other hand, China trying to weaken ASEAN solidarity in the discharge of its economic diplomacy in an attempt to influence some members such as Cambodia to support its sovereign rights in the SCS. This

methodology reveals a realist idea of fortifying resources to prevent hostilities and secure advantage.

Therefore, Offensive realism offers a complete outlook of the strategic moves that China, the United States, and the Southeast Asia nations are likely to make regarding the ownership of the SCS. Based on the knowledge of power maximization, the security dilemma, as well as the economic and diplomatic efforts contributing to the conflict, promise an essential understanding of what would perpetuate the conflict and result in a direct military confrontation between China and the US. As the struggle for power in the area intensifies, it is possible to predict that the chances of having a peaceful resolution are very thin according to the principles of offensive realism taking into account that states are interested in preserving their interests in the world that is actually and to a certain extent even unconsciously anarchistic.

Results and Discussion

China has signed the UNCLOS (UNCLOS), but it has no intention of letting UNCLOS supplant its belief in its sovereignty over the SCS based on historical claims. To express its position clearly, China not only ratified UNCLOS but also released a supplementary declaration including certain conditions. China has restated its control over all islands and archipelagos, as stated in Article Two of the Law of the People's Republic of China on the territorial sea and the contiguous zone, which was issued in February 1992. China has specified that although vessels have the right of innocent passage across territorial waters, this right does not prevent China from requiring foreign warships to get prior approval for such innocent transit (Askari & Tahir, 2020). However, the US has not ratified the UNCLOS because the Reagan administration was not satisfied with the terms concerning deep seabed mining and technology transfer. Nevertheless, the Reagan administration expressed complete satisfaction with all the other elements of UNCLOS and explicitly said that the US would comply with all components of UNCLOS that do not pertain to the seabed. In addition, all of the initial concerns were later resolved in a supplementary agreement that President Clinton signed in 1994. President Clinton also ratified the first 1982 convention and presented both papers to the Senate, which declined to conduct hearings on the matter. Despite several subsequent efforts by different administrations to advocate for the ratification of UNCLOS in Congress, it has not been officially approved by the US.

Although the US has not formally signed UNCLOS, its maritime policies have consistently aligned with the principles and regulations outlined in UNCLOS since its establishment. China has expressed many complaints about the policy known as FON. The US stance on Freedom of Navigation (FON) is a continuation of its enduring beliefs on unrestricted access to the world's oceans. These beliefs were established before the UNCLOS and align with the fundamental principles outlined by Grotius in his work, *Mare Liberum*. President Woodrow Wilson, in his address on January 8, 1918, to Congress, emphasized the importance of "unrestricted freedom of navigation on the seas" as a fundamental principle that the US and other countries were striving to protect during World War I. President Roosevelt expressed a similar sentiment in one of his informal radio broadcasts to the American people before the US joined World War II. Since 1979, US presidents have instructed the government to implement a Freedom of Navigation (FON) program to contest exaggerated maritime claims made by coastal governments. This program is based on the UNCLOS to determine what constitutes an excessive claim. The United States also performs FONOPs to challenge rights and freedoms with states with whom the United States has diplomatic relations or strategic partnerships, not just with potential adversaries or competitors. (Liang, 2016).

UNCLOS is vital for the Nations' controversy over the SCS because it defines the rules related to ocean territory. However, there are doxorubicin readings of UNCLOS which can be associated with strategic interests constraining its application. Again Chinese's

entitlement to the nine-dash line undermines articles of UNCLOS on exclusive economic zones that are crucial for Southeast Asian countries. The then-Beijing government denied a 2016 ruling by the Permanent Court of Arbitration that declared China's claim untenable. With newly emerging countries unable to commit to international law, the enforcement of the law has been a challenge in the SCS. They argued that tensions rise due to state practice of UNCLOS to fit national interests. Despite, being a legally binding international instrument, UNCLOS has been unable to peacefully solve the territorial conflicts involving rivals with different philosophies of dominance in the SCS. (Yang et al, 2017).

The discourse surrounding Freedom of Navigation is central to SCS's problematic nature mainly concerning America and this determines its association with the dispute. Thus, despite not being a party to UNCLOS, the United States has a significant incentive to protect the right of commercial and military ships to navigate the SCS unimpeded. The US regularly conducts FONOPs, which pose a challenge to excessive Chinese and other coastal state claims to the waterway. This project emphasizes the necessity of defending worldwide shipping laws and the strong military force available to the United States. China, however, views FONOPs as provocations, accusing the U.S. of undermining regional stability and sovereignty. This discourse on FON has thus become a battleground for the broader struggle over influence and control in the SCS, where international legal principles are often secondary to power politics (Cruzcrúz, 2014).

The nature of hostilities and skirmishes in the SCS highlights the potential for conflict in the region. Although outright war has been avoided thus far, there have been numerous incidents involving maritime patrols, fishing vessels, and military confrontations between China and Southeast Asian countries like the Philippines and Vietnam. These skirmishes, often low-level, reflect both the strategic importance of the SCS and the volatile nature of the territorial claims. For example, China's aggressive island-building and military fortifications on disputed reefs have escalated tensions, prompting other claimant states to enhance their naval capabilities and seek closer security ties with external powers such as the U.S. and Japan. The nature of these hostilities underscores the broader security dilemma in the region: as one state increases its defenses, others follow suit, leading to an arms buildup and the risk of miscalculations that could spiral into a larger conflict (Fravel, 2011).

Looking to the future, the SCS is poised to remain a flashpoint for regional and global tensions. The strategic importance of the SCS, both as a major maritime trade route and a region rich in natural resources, ensures that the territorial dispute will continue to attract the involvement of major powers like China and the U.S. Furthermore, as China's power grows, its willingness to challenge the existing international order may increase, leading to more assertive actions in the SCS. At the same time, Southeast Asian states are likely to seek greater cooperation through regional frameworks like ASEAN, though these efforts may be hampered by China's economic and political influence over certain member states. The future of the SCS will depend not only on the balance of power between China and the U.S. but also on the ability of regional actors to navigate the complex interplay of diplomacy, security, and international law (Kaplan, 2014).

This research assessed two conflict potentials that may occur in the SCS involving China and the United States. At the outset, tensions can escalate between China and its nearby partners possibly influenced by the American presence. Second, the US may use the Freedom of Navigation (FON) to challenge China's large legal territorial sea limit. This could cause a dynamic of future confrontations with US naval forces, and China's naval forces and air force. Imposing control in the region is a security risk posed by the Chinese military's occupation. Especially where there is an adverse event between the US and China, incidents are likely to intensify especially to dangerous heights in the future.

The data evidence relatively high levels of economic development in Asia Pacific countries over the past few decades. This has increased competition for resources within

the regions. China's wealth has fueled its ambition to take control of the SCS. Therefore, China has developed assertive measures to support its agenda on those regional waters. Yet, the Chinese concept of history contradictory overlaps with the contiguous zones and EEZ specifically provided by the neighboring countries which are a signatory member of the UN Convention on the Law of the Sea. China's pursuits are conflicting with the rights of countries as the conflict escalates.

The study also found that all these conflicts happened within Vietnam EEZ. Vietnam has sole rights to exploit resources contained in this maritime area under the provisions of the UN Convention on the Law of the Sea (UNCLOS). This shows that China continues to deny its neighbors' freedom under UNCLOS regarding maritime space and ability to employ force to defend its sovereignty of its within the nine-dash line. The participation of the Western companies makes these issues over oil and territory even more complicated. Promising contractual terms to such firms is a critical motivator because the SCS currently hosts promising fields of deep-sea oil in difficult circumstances. There is a tendency for only Western corporations to possess the advanced technology, managerial skill, and financial muscle power to unlock these difficult resources.

The study suggests that all the regional stakeholders have expressed a desire to access oil and natural gas deposits to fulfill the requirements linked to their rapid economic expansion. In the last twenty years, Vietnam and the Philippines have entered into agreements or made attempts to enter into agreements with oil firms from other nations, including the US. China consistently expresses its opposition to these endeavors and has often compelled Vietnam and its international collaborators to halt drilling or exploratory activities via coercion.

The study found that escalation and conflict scenarios have been increased to unprecedented levels. A series of provocative episodes reached their peak when the USNS Impeccable was operating about seventy miles off the coast of China. In this event, five Chinese naval vessels [assumed] to be naval auxiliaries approached the American surveillance ship Impeccable. Two of the Chinese ships approached within 50 feet of the Impeccable hoisting Chinese colors and ordered it to move away from the area. The crew of the Impeccable fearing so started using their firefighting equipment to hose water toward one of the Chinese ships when it came within 25 feet distance. The Impeccable then tried to address the Chinese vessels through a radio to explain that the surveillance ship was about to depart and urged them to make way for an exit. But two days later two Chinese ships approached the Impeccable and soon positioned right in front of it thus making the vessel halt abruptly in a bid to avoid an accident. Chinese ships used their front to stop the Impeccable from proceeding through the water. The Impeccable was followed for four days by Chinese ships, which threatened an improvised rescue team. The US Navy dispatched the same guided-missile destroyer USS Chung Hoon as protection and escort for the Impeccable.

This study also found that in the future, essential submarine resources in the SCS will attract more fierce competition by political authorities due to economic development and consequent demand for these resources. Considering China's proven inclination to use military coercion against neighboring countries, it is logical to anticipate a rise in the frequency of such coercive encounters, in line with the growing need for resources. In addition, China's growing asymmetrical advantage will further reduce its neighbors' capacity to retaliate similarly to any aggressive actions by China. This dynamic may escalate to the extent that the US autonomously chooses to intervene, or a neighboring country such as the Philippines or Vietnam formally asks for assistance from the US.

Conclusion

The SCS dispute represents one of the most complex and volatile geopolitical issues of the 21st century, characterized by overlapping territorial claims, strategic rivalries, and

the broader contest for regional dominance between China and the United States. Using the lens of offensive realism, this study has illuminated the power-maximizing behaviors of states involved in the dispute, particularly China's assertive territorial claims and the U.S.'s strategic response through Freedom of Navigation Operations. From the thematic analysis of the collected data, the role of military and economic forces in the conflict and the role of legal frameworks like UNCLOS are also part of the picture. This research also addresses several critical issues, such as the place and role of the SCS within the geopolitics of the Asia-Pacific region and the world, the factors of military escalation and containment, and the prospects for direct Chinese-American confrontation. The present study also points to the issue of the rather restrained role of international law concerning the SCS dispute, as seen in the Chinese reaction to the 2016 arbitration resolution, as well as the extension of these problems onto the pillars of the contemporary international order. While obtaining the security dilemma in the region stimulated by arms races and in particular by increasing hostilities to develop an understanding that without extensive subsequent diplomacy and multinational involvement, escalation of tension is improbable. The SCS will be the battleground for power play in the future as China tries to exert supremacy in the region and the U.S. tries to survive and answer China in the Indo-Pacific. This research indicates that in the absence of a strong conflict resolution mechanism or enforcement of international law, the hot spot of the SCS might remain problematic for the region, and the wider ramifications of this trouble could be on global security.

Recommendations

The study suggests that the United Nations Convention on the Law of the Sea (UNCLOS) needs to be fundamentally reformed and must be opened to accept more international governments as members. Expansion of participants is required to address current marine problems and keep the convention functioning. Taking more states' diverse concerns and concerns to the discussion will help the convention to encompass wider world interests. These measures will also promote better cooperation and coordination between countries and therefore bring about improved overall regulation of the sea. As activities in water develop and ocean governance becomes more intricate, the situation is evolving. A strong push exists to increase membership in the United Nations Convention on the Law of the Sea (UNCLOS). The study further recommends that a peaceful resolution of disputes is required because compelling disputes may lead to a tranquil setting in the region. Emphasis on peaceful modes of conflict resolution compared to territorial conflicts minimizes the effects of war. By teaming up in diplomacy, states can develop and pursue efforts to find peaceful dispute resolutions.

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