

THE POSITION OF CHINA AND AMERICA IN THE SOUTH CHINA SEA

*Dr Sahibzada Muhammad Usman and Yamama Khalid**

Abstract

South China Sea's geopolitical is affecting the region as China and the US are the major parties in this conflict. These two major powers have varying geopolitical interests, and the current analysis is intended to analyse their relations in the region. To determine their ties, this paper focus on understanding the differences between the two states, the growing power and affirmation of China, and its priorities and policies in search and protection of its interests. There is a disparity in the region where China is trying to strengthen its position in the area, while America wishes to uphold the existing status quo. The paper argues that, in such situation, it is hard to see prospects for Chinese-US collaboration in the South China Sea.

Keywords: America, China, South China Sea, Cooperation.

Introduction

China's regional presence has undergone drastic shifts. China has been more involved and engaged in numerous regions and has demonstrated that it is still capable of threatening the use of force when conflicts over its interests and stability through a diplomatic increase. China has always been viewed as a competitor and often as a U.S. ally. America's interests in the region of Asia-Pacific are diverse, and they were able to establish an alliance structure that would make the region reasonably secure. Concerning maritime strength, which is perceived to be vital in the South China Sea, the U.S. did not have a rival on the Asian Sea and nations such as Australia, Japan, and India. More or less, the countries above still have a stake in opposing China's ambitions in the South China Sea. However, China has taken a step in this direction at the end of the 20th century and has started spending much capital to enhance maritime capability¹. The disagreement between the Diaoyu and the Senkaku Islands and the South China Sea condition applies to China's current strategy. The South China Sea is a conflict among six parties. Three of them are the major pivotal: the Philippines, Vietnam, and China, as opposed to the controversy

*Dr Sahibzada Muhammad Usman is Faculty Member at University of PISA, Italy. Yamama Khalid is an Independent Research Scholar.

over the Diaoyu and the Senkaku Islands, where two countries make territorial claims. In addition to the nations that make land claims, other players in the region have also pursued a beneficial resolution following this conflict. The complicated condition also made possible the U.N. Convention's interference on the Seas, which failed to settle such a conflict after China dismiss the judgment in 2016 on arbitration between the Philippines and China². It is impossible to see a situation in which all these conflicts will be settled in such circumstances. The South China Sea's geopolitical importance and numerous priorities and results awaited in several nations in the region hamper a potential settlement gradually. The current examination considers the strongest powers in the field, including America and China, who can control and adjust the effects of such conflicts. The two countries in the South China Sea have varying geopolitical interests, and the current analysis is intended to analyse their relations in the region. To determine their ties, I concentrate my focus on the understanding distance between America and China, the growing power and affirmation of China, and its priorities and policies in search and protection of its interests. Lastly, some opportunities for America and China relations in the South China Sea and their likely consequences will be studied.

The current analysis is more explicitly within social science and international relations and is primarily descriptive and evaluative. The current research attempts to gain insight into the factors that characterize America and China's relationship in the South China Sea. I start by considering different factors that lead to establishing ties between America and China in this specific field.

South China Sea

The vast expanse of the South China Sea is sometimes divided by a thin strip of beach. The islands are remote, even small, but form the fierce territorial conflict involving six major plaintiffs: Vietnam, Taiwan, the Philippines, Malaysia, China, and Brunei. Since the nine-dash line was released, China's perceived designs on the South China Sea have increasingly affected the region. In 2012, when Scarborough Shoal was grabbed out of the Philippines, Beijing shared some of these fears. The two countries had quarrelled over Chinese fishermen's accusations of illicit fishing. Following a standoff lasting two months, each side decided to leave the Shoal. The Philippines followed the agreement and left the Shoal, but China did not. China has since removed the boats of the Philippines from the seas of the Shoal. In reaction to this move, Manila lodged an arbitration lawsuit against China under the United Nations laws³. The Philippines claimed to concentrate on maritime law problems, while China contended that they could not be addressed without agreeing on territorial issues⁴. Beijing has also declined to participate in the hearings, even though it has drafted and officially circulated a paper against the case's authority. In

addition to China's papers, the Philippines has proposed its memorial. Both countries are pending a verdict by the Tribunal regarding their authority⁵. With the case in the past, China has taken an increasingly strong position in the field. In 2014, an oil company operated by a state-owned Chinese company moved to the Paracel Islands (Vietnam's south area). This aggression has led to confrontations between Chinese and Vietnamese ships and disruptions against foreign firms in areas of Vietnam. In the face of this pushback, China had to pull its rig. Furthermore, Peking launched an accelerating land recovery effort in the South China Sea over the past years. Chinese warships have poured tons of sand into increasing China's size in at least seven places. Peking has already started the construction, including an airstrip able to handle military aircraft, on most of the disputed land. While other claimants have reclaimed land in the past, according to America, China has recovered 2,000 acres of land throughout the history of its claims, more than all other claimants combined⁶.

The Strategic Perspective of China

As some scholars pointed out, the six core interests of China are: 1) national reunification; 2) territorial integrity; 3) national security; 4) state sovereignty; 5) the legally developed democratic structure of China and social stability; 6) necessary guarantees for social progress and a sustainable economy. On the one hand, they are intertwined and facilitated; on the other hand, they also can intervene. China's disputes over the islands' rights and demarcation of maritime territories in Eastern and Southern China with nations. In settling such conflicts, adherence to diplomatic and peaceful measures can serve territorial integrity, national security, and state sovereignty. In contrast, long-term disputes or even military wars with related nations may be generated using territorial integrity and state sovereignty against China's legally defined political structure and global social stability. To accomplish its diplomacy's central challenge to achieving its two hundredth anniversary objectives and establish a situation in which territorial integrity and state sovereignty jointly foster ties with China's constitutional political system and overall social integrity. Countries under existing Chinese control border 14 countries, including India and Russia. Meanwhile, Beijing has differences with Korea and Japan over maritime demarcation at the East South China Sea, land differences on the Diaoyu Islands with Japan, and differences over territorial rights and maritime demarcation on South China islands with Southeast Asia, such as Brunei, Malaysia, Vietnam, and the Philippines. These issues form the major Chinese priorities in territorial integrity and state sovereignty. Regarding the fusion of territorial integrity and state sovereignty of two core interests, each of the above-mentioned territorial conflicts is geographical. China made numerous diplomatic attempts for a long time

to deal with territorial disputes both on land and at sea with neighbouring nations. The 1962 Chinese self-defence counterattack at the China-India border shows two countries addressing a territorial difference by war. The signing of the Russian-Chinese Boundary Treaty of 1999 was a peaceful settlement of the territorial dispute. The Sino-Japanese controversy over territorial control over the Diaoyu Islands has become a military and diplomatically unprecedented and heated question for both nations. The Diaoyu conflict is a "regional main interest," compared with the general interest in territorial integrity and state sovereignty. But the geographical existence of certain central interests does not simply mean less important in the sequence of strategic goals between the different core interests. In particular, Japan's provocations have intensified and exacerbated the regional contradiction to the degree of "strategic confrontation" between Japan and China. In reality, the Chinese-Japanese island conflict is at the frontline of the fight for a specific time to defend core national interests. Therefore, the inconsistencies between Japan and China have been confrontational. It is the eventual result of Japanese aggression and bilateral contact. An uncompromising and determined war with Japan is utterly necessary and justified for some time. In the long run, however, perpetual hostility between Japan and China may have severe repercussions. The contradiction between Japan and China in regional, national preferences doesn't mean that their real national interests are entirely against each other⁷.

The Main Interests of America

In the South China Sea, U.S. priorities could be seen as simpler than in China. It doesn't imply that they are less important or less significant. Unlike China, America has not made territorial demands in the South China Sea, but it has other concerns⁸. First of all, the United States recognizes that it should carry out peaceful military drills with coastal States under UNCLOS but does not subscribe to UNCLOS to invoke these principles. China's responses to these types of actions reflect its resolve, which is believed to be unfriendly and aggressive. Thus, America and Chinese gaps in freedom of navigation are more complex. Indeed, China does not have an incentive to hinder maritime trade and merely needs to ensure that maritime trade is smoothly conducted. But America still sees naval actions within the Chinese EEZ as part of high seas liberties⁹ related to free navigation. And again, several accidents happened between them due to different views. America is also involved in safeguarding navigational independence in the South China Sea, including the Chinese EEZ's friendly military activities. Another aspect affecting America's rights is the need for the opposing claimants to obey the laws laid down by global law. John Kerry (Secretary of State) stated that America has a national interest in preserving peace and security, unimpeded lawful trade, respect for international

law, and navigational freedom in the Sea of South China. In this respect, America will reject China's use of force to settle its conflicts or change its Southern South China Sea status quo. International law is the sole instrument regarding maritime freedom. Additionally, the Obama government has already stressed that America considers establishing SCS rule-based stability to be an important national interest. The state of relations between China and America and its contributions.

First of all, there is a knowledge divide and a degree of distrust that appears impossible to shift in the foreseeable future. While China believes it to be sovereign over the entire region of the nine-dash line, in this instance, as it is not a member, the U.S. follows UNCLOS's values and notes that Beijing has no privileges over the whole area. On the one side, China underlined that UNCLOS does not have any authority over the South China Sea conflicts. On the other side, America respects and recognizes the Tribunal's arbitration and its decision. Additionally, China claims that America does not have any right to engage in conflicts over the South China Sea, also accusing it of hypocrisy. For Beijing, America is a destabilizing force in the South China Sea and a threat to its global ambitions and aspirations. Moreover, China finds U.S. actions in its EEZ violent and unfriendly, while, according to UNCLOS, the U.S. invokes its right to carry out peaceful military action with the EEZ nations. It explains many frictions and disputes, and a degree of suspicion distinguishes relationships in the South China Sea. In this respect, the South China Sea stresses the uncertainty of its relations and the numerous opinions that the United States and China have in certain ways.

Secondly, China's rising influence and affirmation contribute to America becoming increasingly active in the Asia-Pacific region. The condition takes place in periods where the United States faces many other issues, such as the nuclear projects in Iran and North Korea, disorders in Iraq and Syria, the search for peace for Afghanistan, the case of the Islamic State, the breakdown of links with Russia, and so forth¹⁰. However, the U.S. develops a rebalancing plan for the Asia-Pacific region under Obama's administration mainly because of changes in the South and the East South China Sea. In this regard, the security dilemmas created first by America and then by China between its Southern China neighbours have made U.S. participation and interests in the region more possible. Their associations in the South China Sea have also shifted considerably. Minor tensions are starting to happen, and China is also more anxious and alert to keep America close to its borders.

Thirdly, their priorities align in just one way: protecting the sea route across the South China Sea. On the one hand, China is interested in managing the nine-dashed region and its assets. On the other hand, the U.S. also needs a good position in the Asia-Pacific; it does not want China to dominate the bulk of the South China

Sea or a rival in the region. Furthermore, the United States must convince its allies in the area and prove that it can defend them against the Chinese growing strength and aggressiveness. The Asia-Pacific region remains important to them. These competing interests have dramatically led to the breakdown of their relations and have not made collaboration plausible.

Finally, the South China Sea has had and appeared to have significant consequences for ties between America and China in recent years. China's growing forces, behavior, and competing interests make America pay more attention to the Asia-Pacific region¹¹. At the same time, America becomes more forceful in the South China Sea, which lets China increase its strength and hostile role. In their perception of the South China Sea, their views and preferences vary. It is tough to see an ending to their antagonistic roles in southern China at this stage. But their ties and tensions in the South China Sea are currently controlled, but their perception gaps are incredibly high and can cause unexpected events.

China's Position in the Asia-Pacific Region

Many analysts claim that China is developing its military, particularly its naval army, to smash the island chains and force America into the Asia-Pacific region. China's military expansion is also seen as a significant danger to America's stability and interests. The result should be a political, not a physical one. The U.S. has no permanent stations in the Philippines, but because of the Mutual Security Arrangement of the two nations, U.S. forces can protect the Philippines if threatened. China's goal is not only to withdraw U.S. troops or resources from the area or even avoid rotational deployments or co-exercises in the Asia-Pacific but also to limit or eradicate Washington's impact nations in the region, and preferably, to stop its security treaties. The Taiwan Relations Act pledges the U.S. to help Taiwan's defence¹². It does not mean that China wants to remove the U.S. from Asian countries completely: it's no problem for China if America keeps trading or businesses participate in it. However, China aims to restrict Washington's power to such a degree that it no longer tries or cannot force regional governments to take action against China, including barring Huawei technology of the fifth century. In two possibilities China's military strength might drive America out of the region: a China that is so dwarfing America, an inviolable presence in the region, or a critical military victory. The first situation needs to degrade America that international military planners no longer think it can inflict an adequate cost on China and therefore annul any dissuasive alliances. In tandem with Chinese military skirmishes and economic sanctions, Asian nations will have to sever their ties with America if it is clear that they do not serve a security purpose. But the chances of a U.S. administration that ever generates such a wide void are low. The next possibility, a

war, would entail a clear military win over America, including a partner's conquest and occupation. A clear tactical success will not be enough when China overthrows US-Japan. The Japanese government would later forfeit its defense Treaty with America and remain on the mercy of Beijing by sinking a handful of ships and bombing several bases, which led to a diplomatic agreement granting Peking control of the Diaoyu/Senkaku Islands. That would not be strategically significant. It will possibly establish military relations with the U.S. and maybe improve nuclear capabilities to avoid China's further threats. Only a catastrophic derailment in a thoroughfare confrontation with a chance of nuclear war will accomplish such a target – something China needs as least as everyone else¹³.

America's Position in the Asia-Pacific Region

The status and growth of America's military strength in the Asia-Pacific by supplying the international community with reliable, comprehensive, and credible information published by America. It is also important to review American military activities in the region. America has been exciting the so-called militarization of China in the South China Sea since 2010. Surprisingly, China's military strength has expanded across Northeast Asia, the Western Pacific, and the Indian Ocean. However, the American military force remains the strongest and expands in the Asia-Pacific region. In Donald Trump's government, substantial changes have been made to the U.S. security policy in the Asia-Pacific region. The most noticeable is the change from the Obama administration's Asia-Pacific rebalancing policy to the Indo-Pacific strategy. The Indo-Pacific policy focuses not only on military deployment but also on building a regional defense network. These are separate from the structures of the U.S. mutual security relationship during the Cold War. It is the clearest feature of the Indo-Pacific approach. Recently, some analysts have been addressing the advent in Asia-Pacific of large-scale military conflicts between America and China. It doesn't depend on China, but rather on the U.S. hawks' attitudes towards China, whether the rivalry between both countries in the region would lead to military conflicts. China wishes to live in harmony with other nations, including America, and preserve prosperity in the world¹⁴.

The Asian Rebalance

In 2009, the Obama administration announced that the U.S. "returned to Asia," through the visiting in the area regularly of senior officials. Increasing American participation in regional mutual meetings culminating in signing and participating in the Association of South-East Asian Nations Treaty. In 2011, the strategic "rebalance to Asia" was based on these earlier steps to reinforce and institutionalize America's contribution to the Asia-Pacific region. Asia's accelerated

development and global dynamic have dramatically enlarged the region's economic and political weight, raising its importance to American interests and calling for an increased American emphasis. Scholars have welcomed this development, lobbying for more significant expenditure and attention by senior U.S. politicians for a long time¹⁵. At a time of bitter U.S. partisanship, there is a strong, bipartisan consensus on Asia's value. Indeed, partisan criticism has centered largely on whether the government in control does adequate to increase America's involvement in Asia and whether appropriate tools are available for rhetorical interaction¹⁶. While initial remarks on America's "re-to-Asia" were made by the Bush administration on correcting perceived neglect of the region, senior officials of the Obama administration claimed that the Afghanistan/ Iraq war on terror and U.S. military contributions had created an imbalanced worldwide footprint. The word "rebalancing" against Asia sought to underline the region's high importance in U.S. foreign policy¹⁷. The rebalance towards Asia also reflected the need to express U.S. global goals following U.S. troop withdrawal from Iraq and Afghanistan's deployment, thus liberating military and diplomatic capital dedicated to the Middle East in the past decade. The predicted U.S. declines in Federal investment and defense budgets have required a consistent statement of policy goals for cuts and redistribution of limited capital. For the American military, this took the form of a plan for defence signed by Obama in 2012, which announced that "we necessarily will rebalance the region of Asia"¹⁸.

The official Chinese reaction has been expressing scepticism and concern at the United States' stated justification for rebalancing Asia, lamenting Washington and Beijing's lack of strategic trust, calling more for respect for the fundamental Chinese interests, stressing the negative results of rebalancing Asian security, and stepping up efforts to stabilize China-America relations. Particularly by developing a new type of strong power relationship with Washington. While there is considerable uncertainty about the impact of the U.S. rebalancing on China's interests, the critical component of China's response was possibly increased efforts to establish a secure relationship with Washington. In Beijing wise, China has not changed its priorities, stretched its territorial claims, or taken a more assertive approach in the face of territorial maritime disputes. Instead, other nations have stepped up their efforts to contest China's long-defined territorial claims, strengthened by active or passive American support, pressuring China either to trap the Chinese sovereignty or takes necessary action in response¹⁹. Chinese politicians, intellectuals, and military officers emphasize that China's political climate has shifted and that Chinese people, particularly nationalists, advocate a hard line in sovereignty disputes. Furthermore, Chinese authorities stated that China had not taken any steps that violate legal navigational liberty. It remains unaffected by its policies to settle territorial disputes

through peaceful dialog and its readiness to set aside jurisdiction and exploit resources jointly in controversial areas. Chinese authorities demand a bilateral settlement of sovereignty issues and have advised America not to intervene or stand by them. Regional tensions are reportedly focused on China's maritime territorial clashes in East China and South China Seas. The U.S. does not take a stand on the issue of the ultimate jurisdiction of the numerous contested islands and other land formations as far as strategy is concerned. Japan's administrative jurisdiction over the Diaoyu/Senkaku islands has been acknowledged by the U.S. authorities and consistently confirmed that the Japan-America protection treaty protects the islands. According to the global law concerned, the U.S. officials highlighted the importance of resolving conflicts according to negotiated conflict resolution standards. American officials have endorsed ASEAN attempts to negotiate for the South China Sea a binding code of ethics and encouraged China to deal with tensions through bilateral means. Besides, China has searched for opportunities to increase its sovereignty claims, extend its successful control on disputed seas, and redefine the status quo to its benefit by intervention in the region and unsettled waters²⁰. It is likely to continue and potentially raise regional uncertainty about marine sovereignty issues and related regional questions regarding Chinese military actions and capacities. Given this condition, the United States' rebalancing must be considered the alternative strategy not to respond to Chinese assertiveness. If America remained inactive, it would be encouraged by Chinese nationalists and growing demands for China to use its military strength to settle unresolved territorial disputes. The wary of China, American allies, and area partners are likely to accelerate efforts to develop their military forces or rethink long-standing non-proliferation commitments. It may have intensified political uncertainty and a likely unravelling of the American coalition structure without any replacement.

Perception of the South China Sea problem between America and China

There is a different perception in the South China Sea between America and China. It would also underline how this perception difference establishes a degree of distrust between them, which is a hurdle to their cooperation. The probability occurs the war in the South China Sea has risen in recent years²¹. The territorial and judicial disputes between countries in the area generated a degree of anxiety and distrust. The South China Sea, a route between the Pacific and the Indian Oceans, constitutes a strategic position with various consequences for America and China. As stated earlier, China's so-called undeniable sovereignty has a nine-dose line demarcation line at its foundation, which does not have territorial sea geographical cooperation. According to that map, China's rifles are far nearer to those of other nations in the region than China's islands in the South China Sea. Moreover, the 2009 map has far

more bold statements, provided that the shots are much closer to the coasts of adjacent nations than the 1947 map. The historical and legal facts remain at the core of Chinese arguments, as suggested in the 2011 PRC (People's Republic of China) Permanent Mission: "Chinese autonomy and related jurisdiction and rights in the South China Sea are underpinned by ample legal and historical proof"²². "As regards their historical rights and their importance, debates are under way and opinions split, whereby analysts consider the historical rights of China to be narrative and historical manufacture, while others contend that: "China has been the first country to develop, name, discover and conduct economic activities and to exert its jurisdiction over the Nansha Islands"²³." However, the law system applicable to the determination of maritime claims is the U.N. Convention on the Law of the Sea, dated 1982. Compared to China, which authorized UNCLOS in 1996, the U.S. is not part of this global arrangement. It is of particular interest to illustrate and address these UNCLOS clauses.

Chinese claims and American Position

China's allegations on the South China Sea may be split into land claims and water claims. Concerning land rights, China's status is clearer and claims jurisdiction over the nine-dash axis features. This recognition stems from the statute on the Contiguous Zone and the Territorial Sea from 1992²⁴. As far as maritime claims are concerned, Chinese claims are vaguer. America has established three potential interpretations of the Chinese naval claims under the nine-dash line, as well as an appreciation of the degree to which those interpretations are compliant with global law. The three potential meanings include:

- China claims the lines to be the island's jurisdiction and the LOS Convention's naval regions.
- National borderlines.
- So-called ancient marine claims of various forms.

In compliance with the Sea Law, the first understanding would restrict China's maritime claims to the continental shelf, contiguous territory, and the territorial sea. The maritime frontier will start with China's land, coasts, and mainland features specified by the UNCLOS and has an island's title. However, the islands of the South China Sea jurisdiction is a matter of contention and questions the territorial areas that form the islands. Although China has jurisdiction over some island areas, its maritime areas are subject to maritime boundaries with neighbouring nations. Based on the nine-dash line as China's national frontier, the second understanding does not have a legal basis within the UNCLOS because the coastal border is not unilateral but under an arrangement between neighbouring

nations. Global law is also not related to tiny isolated islands, more weight to set their maritime boundaries than long and continuous coastlines. The third understanding brings so-called Chinese privileges and historical waters into consideration. In this situation, the dilemma is that the South China Sea represents a sea in which multiple countries have rights to the EEZ and inland shelf. As a result, the maritime borders of China intersect with those of other nations. In this respect, UNCLOS does not allow these rights to be determined traditionally by a different state.

China's Perspective on UNCLOS

China has a very different perspective on the case. In its declaration, when China ratified UNCLOS in 1996, it made clear. Further, on the grounds of its interests, according to Article 298 of the UNCLOS, China announced in 2006 reaffirming that it would not recognize international competence in the resolution of disputes²⁵. In 2013, however, the Philippines demanded arbitration in favor of China's South China Sea conflict, and the matter was more complicated. China stressed in a 2014 Position Paper on the South China Sea Arbitration Legal Relations of China initiated by the Philippines that China and the Philippines have agreed to settle their differences through mutual instruments. China has emphasized that the 2006 declaration grants them the freedom to select the conflict resolution process even though the present dispute is an arbitration under UNCLOS. In short, the Position Paper decided that the Tribunal had no authority in this case and that China will not engage and acknowledge or honor the Tribunal's decision. A prerequisite for determining China's jurisdiction over the entire region of the nine-dash line is necessary. They will not take a stance on UNCLOS's authority over these conflicts due to the limitations. As a result, assuming that UNCLOS has authority over conflicts in the South China Sea, China would not have any jurisdiction over the whole region involved. Starting from the recognition that hegemony does not mean that the State is free of legal restrictions, as provided for by Morgenthau, China would still have to obey global law, as it signs the UNCLOS.

America's Position on UNCLOS

Presumably, America's stance is close and tolerant of UNCLOS as well as the opinion made in 2016 by the Permanent Court of Arbitration. President Obama claimed that if you sign a treaty calling for international maritime arbitration, you will be greater than Vietnam or the Philippines, and others. You can't walk around and stretch your muscles²⁶. "In this respect, America is calling on Beijing to respect global law and not misuse its influence. While America is vocal in South China's conflicts over the sea, several observers doubt America's ability to engage in

Southern China as America is not a UNCLOS member. Under this framework, the USA should join UNCLOS to reinforce the organization, to fully help its partners and allies in the South China Sea region, to establish another control in the relationship with China, and prove to the international community that it is not in favour or against the nation but in favour of global law²⁷. America finds the UNCLOS membership a high priority and provided a legal mechanism to support U.S. economic interests and national security. Furthermore, U.S. officials were not allowed to attend the arbitration proceedings between the Philippines and China, and the U.S. interest on this matter was not well attended²⁸. The people of America believe that China will continue to violate the Tribunal's rulings, even America becomes a UNCLOS member, and that ratification would further weaken the United States' authority. The reality that America is not an applicant state in the South China Sea, Fuchs and Sutton (2016) raises awareness that UNCLOS would therefore not provide the U.S. with any instruments to handle conflicts in the area. In this regard, the ratification may only be seen as a means of shifting China's rhetoric, but not exactly to alter China's strategy in the region. Concerning the USA and beginning from the presumption of Morghentau, Global law is a law between organized and not subordinated persons. The outcome that America has no right to compel China to cooperate with global law, even though it is part of the UNCLOS and to participate in the conflict over the South China Sea²⁹.

Conclusion

The current study aims to assess the state of ties between America and China in the South China Sea. Many factors that remain before establishing a fruitful and productive relationship between China and America in the South China Sea were identified. The perception difference between America and China has already developed a degree of mistrust, which plays a crucial role in their strained relations. The definition of autonomy perceived in multiple forms by America and China remains based on their understanding divide. America stated that China has no legal rights in the whole region, although China notes that UNCLOS does not have authority over the South China Sea conflicts. Resolution of such disputes should be given by mutual talks between the parties participating in the disputes. In addition, China has already stressed that America has no right to intervene in the South China Sea disputes, also accusing the U.S. of hypocrisy over its position in these disputes. Therefore, these negative views are an obstacle to establishing the South China Sea of a positive partnership between America and China. More specifically, this awareness of disparity is the source of many disputes. The current research indicates that competing preferences are prominent in the South China Sea over shared interests. China's ability to strengthen its position in the area poses a big difference,

while America wishes to uphold the existing status quo. This disparity is another hurdle to establishing reciprocal confidence and constructive commitments in the South China Sea between America and China. In these situations, the current study found it hard to see prospects for Chinese-US collaboration in the South China Sea. In comparison, one of the countries finds it impossible to step back from their desires and goals. The present state of America and China relations continues to be a location of minor accidents. China must demonstrate to its people and the world that it will never stand back when territorial dignity and national interests are contested. Simultaneously, the United States must protect its role in the Asia-Pacific and convince its region's allies. Not less significant is America's reluctance to make the South China Sea dilemma a blueprint for China's future goals and expectations. In this respect, America and China are more inclined to bend their muscles in the South China Sea rather than step back. In that way, both nations threaten to a degree, but they are not enough to challenge each other directly. At this point, China will retain what it has won, thus keeping anyone from controlling any other territory in the nine-digit region. At the same moment, America is relaxed as Chinese rule on the South China Sea is not realized. A sequence of events in the South China Sea will proceed incessantly if their positions and desires remain unchanged. These features are now dysfunctional and troublesome for America and China relations in the Southern Sea, with China and the U.S. being cynical and wary of each other. The South China Sea is a place where there will still be a big confrontation if one of the players is too daring.

References

- ¹ Cheng, S. *China's Foreign Policy: Challenges and Prospects*. Hong Kong: World Scientific, (2016).
- ² Phillips and Bowcott. Beijing rejects tribunal's ruling in South China Sea case. *The Guardian*, (2016). Available at: <https://www.theguardian.com/world/2016/jul/12/philippines-wins-south-china-sea-case-against-china>
- ³ Sean, M. "American Paralysis and Troubles in the South China Sea: A Primer on the Philippines-China Arbitration". *International Law, LAWFARE*, (2013). Available at: <https://www.lawfareblog.com/american-paralysis-and-troubles-south-china-sea-primer-philippines-china-arbitration>
- ⁴ Sean, M. "China Releases a Position Paper in the Ongoing Philippines-China Arbitration". *International Law, LAWFARE*, (2015). Available at: <https://www.lawfareblog.com/china-releases-position-paper-ongoing-philippines-china-arbitration>
- ⁵ Ministry of Foreign Affairs of China. "Position Paper of the Government of the People's Republic of China on the Matter of Jurisdiction in the South South China Sea Arbitration Initiated by the Republic of the Philippines", (2014). Available at: https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1217147.shtml
- ⁶ David, S. "Asian & Pacific Security Affairs". Before the Senate Committee on Foreign Relations, (2015). Available at: https://www.foreign.senate.gov/imo/media/doc/051315_Shear_Testimony.pdf
- ⁷ Feng, Z. "What are China's Core Interests?". *China US Focus, Foreign Policy*, (2014). Available at: <https://www.chinausfocus.com/foreign-policy/what-are-chinas-core-interests-2>
- ⁸ Firestein, D. *The US-China Perception Gap in the South South China Sea*. *The Diplomat*, (2016). Available at: <http://thediplomat.com/2016/08/the-us-china-perception-gap-in-the-south-china-sea/>
- ⁹ McDevitt, M. *The South South China Sea: Assessing U.S. Policy and Options for the Future*. A CNA Occasional Paper, (2014): 1-110.
- ¹⁰ Kerry, J. Remarks at the U.S.-ASEAN Ministerial Meeting. U.S. Department of State, (2013). Available at: <https://2009-2017.state.gov/secretary/remarks/2013/07/211377.htm>
- ¹¹ Hyer, E. Here's how the South South China Sea ruling affects U.S. interests. *The Washington Post*, (2016). Available at: https://www.washingtonpost.com/news/monkey-cage/wp/2016/08/11/heres-how-the-south-china-sea-ruling-affects-u-s-interests/?utm_term=.304350d1d64c
- ¹² U.S. Department of State. "U.S. Collective Defence Arrangements". U.S. Department of State Diplomacy in Action, (2017). Available at: <https://2009-2017.state.gov/s/l/treaty/collectivedefense/index.htm>
- ¹³ Andrei, L. "China is Blowing its Chance in the Asia-Pacific". *Foreign Policy*, (2019). Available at: <https://foreignpolicy.com/2019/12/12/china-asia-pacific-blowing-chance/>
- ¹⁴ Chen, X. "US churns troubled waters and waves in Asia-Pacific region". *Global Times*, (2020). Available at: <https://www.globaltimes.cn/content/1192547.shtml>
- ¹⁵ Ralph A. *The United States and the Asia-Pacific Region: Security Strategy for the Obama Administration* (Washington, DC: Center for a New American Security), (2009). Available at: www.cnas.org/files/documents/publications/CampbellPatelFord_US_Asia-Pacific_February2009.pdf
- ¹⁶ Jeffrey, A. *Obama and China's Rise: An Insider's Account of America's Asia Strategy* (Washington, DC: Brookings Institution Press, (2012).
- ¹⁷ Tom, D. "The United States and the Asia-Pacific in 2013," Speech to the Asia Society, New York, (2013).
- ¹⁸ DC: Department of Defence. *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, (2012). Available at: www.defense.gov/news/defense_strategic_guidance.pdf
- ¹⁹ Linda, J., and Dean, K. *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute (SIPRI) Policy Paper No. 26, (2012). Available at: http://books.sipri.org/product_info?c_product_id=410
- ²⁰ Taylor, F. (2012). "China's Island Strategy: 'Redefine the Status Quo,'" *The Diplomat*, (2012). Available at: <http://thediplomat.com/china-power/chinas-island-strategy-redefine-the-status-quo/>
- ²¹ Glaser, B. *Armed Clash in the South South China Sea*. Council on Foreign Relations, (2012). Available at: <http://www.cfr.org/asia-and-pacific/armed-clash-south-china-sea/p27883>

-
- ²² UN Oceans & Law of the Sea. CML/8/2011. United Nations, (2011). Available at: http://www.un.org/depts/los/clcs_new/submissions_files/mysvnm33_09/chn_2011_re_phl_e.pdf
- ²³ Gao, Z., & Jia, B. The Nine-Dash Line in the South South China Sea: History, Status, and Implications. *The American Journal of International Law*, Vol. 107, No. 1, (2013): 98-124.
- ²⁴ U.S. Department of State. China: Maritime Claims in the South South China Sea. *Limits in the Seas*, No.143, (2014): 1-26.
- ²⁵ UN Oceans & Law of the Sea. Declarations or Statements upon UNCLOS ratification. United Nation, (2006). Available at: http://www.un.org/depts/los/convention_agreements/convention_declarations.htm#China Upon ratification
- ²⁶ Tom. Gzo: Obama warns Beijing against South South China Sea aggression. *The Guardian*, (2016). Available at: <https://www.theguardian.com/world/2016/sep/03/gzo-obama-warns-beijing-against-south-china-sea-aggression>
- ²⁷ Gallo, W. Why Hasn't the US Signed the Law of the Sea Treaty? *VOA*, (2016). Available at: <http://www.voanews.com/a/united-states-sign-law-sea-treaty/3364342.html>
- ²⁸ Majumdar, D. Why the United States Needs to Join UNCLOS. *The National Interest*, (2016). Available at: <http://nationalinterest.org/blog/the-buzz/why-the-united-states-needs-join-unclos-16948>
- ²⁹ Morgenthau, H. *Politics among nations: the struggle for power and peace*, Fifth Edition, Revised. New York: Knopf, (1978).