

INTERNATIONAL SECURITY BASED ON THE UNITED STATES RESPONSE POST TO THE SOUTH CHINA SEA CLAIM BY THE PEOPLE'S REPUBLIC OF CHINA

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ABSTRACT. Conflicts and tensions in the South China Sea are getting bigger after the People's Republic of China claimed control over the Spratly and Paracel Islands and the waters that intersect with most of the countries in Southeast Asia. China's efforts to place military forces on the two islands and the intensification of their ship patrols in the waters of the South China Sea indicate that China wants to strengthen its claims and hegemony, although of course these claims immediately receive a response from countries whose borders intersect in the South China Sea, mainly ASEAN member countries. This research used a descriptive qualitative research method. The source of the data for this research consists of secondary data which is gained from reports or media coverage that examine security issues in the South China Sea. Various data that have been obtained are then checked for validity through data validation techniques, where this technique carried out through triangulation of data or sources. As a superpower, the United States does not remain silent but participates in balancing security for countries that feel they are being claimed. Because what China has done is considered to have the potential to limit the rights and freedoms of the international community in using the waters in the South China Sea as their trade access, the United States and its allies who are members of AUKUS (Australia, United Kingdom, and the United States) are indeed pushing for the principle of freedom of navigation. On this basis, the United States took steps to address the problems and tensions in the South China Sea. The legal umbrella used by the United States is the same as that used by ASEAN countries, namely based on the 1982 United Nations Convention on the International Law of the Sea (UNCLOS 1982).

Keywords: Security; South China Sea; United States Response; ASEAN

INTRODUCTION

In international relations, conflicts in country borders often occur between one country and another. One of the border conflicts that has been going on for a long time is the South China Sea conflict. It is a long-term dispute involving many countries, namely China, the Philippines, Brunei Darussalam, Vietnam, and Malaysia. These countries are controversial about this area because it has a lot of natural resources, such as marine life, oil, and other mineral resources. Based on historical factors, each country also has good reasons for requesting the declaration of several conflict areas (Macaraig & Fenton, 2021; Saiidi, 2018).

This region is one of the busiest international trade routes and a strategic link between the Pacific and the Indian Ocean. The needs of the countries in conflict will disturb these waters. Therefore, Vietnam and the Philippines oblige the United States to provide assistance to participate in the conflict resolution process in the South China Sea. The Philippines and Vietnam are arguably China's strongest opponents in this conflict. The Philippines claims that eight Chinese fishing boats were caught illegally in its waters. This is one of the biggest potential conflicts because 1.5 million people in the area depend on fishing and because of over-exploitation in the South China Sea, it gives rise to conflict. Not only with China, but in the South China Sea. There are also maritime disputes among ASEAN member

countries, the resolution of which is currently still the top priority for countries in Southeast Asia and the Association of Southeast Asian Nations (ASEAN).

The emergence of maritime disputes in the South China Sea is not only caused by threats to sovereignty but also the economic potential contained therein, both related to natural resource potential and the continuity of trade transportation at sea that has been the focus of the interests of countries that dispute. Even though efforts to resolve disputes through constructive dialogue and peace agreements have been pursued through multilateral channels, the interests of the disputed countries China, the Philippines, Vietnam, Brunei Darussalam, and Malaysia have brought this conflict to the possibility of open conflicts (Cossa, 1998).

One of China's claims to the South China Sea is based on its history. Judging from history, there is some evidence that the South China Sea, including coral reefs and rocks, has been used as a fishing ground by the Chinese community. Some say that the barbarians living in the waters south of China used pearl shells and tortoises or turtles to deliver their catch to the Xia Dynasty (2100-1600 BC) and the Han Dynasty (206-220 BC). As a tribute to the ruler. The group's residences are believed to be in the Spratly Islands and the Paracel Islands. Archaeologist Wang Hengjie proved that the Chu State of the Spring and Autumn Period had succeeded in controlling the barbarian groups in the seas of China and asked them to send tribute in the form of hawksbill turtles

and some other rare natural resources to the central government. However, this historical fact is currently considered no longer relevant when referring to the establishment of new sovereign countries in Southeast Asia, in other words, China's unilateral claim to the South China Sea is then confronted with the sovereignty claims of countries in Southeast Asia which independent.

From the perspective of international maritime governance, the South China Sea is an area of great economic, political, and strategic location. Therefore, this field has the potential for conflict and cooperation. In other words, the South China Sea region contains oil and natural gas, and its important role as a route for world oil trade and distribution has made the South China Sea an object of regional debate for many years.

Territorial disputes in the South China Sea escalated after China claimed the Spratly Islands and the Paracel Islands. The controversy over the territorial waters, which contain large amounts of natural resources and serve as a strategic economic route, began in 1947 when maps drawn by China occupied most of the territory. The Communist Party came to power in China in 1949 and then painted a nine-dash line around the South China Sea on official maps in 1953. These nine-dash lines cover areas that are disputed with other countries. For example, Vietnam has disputed the Spratly Islands and the Paracel Islands and made a fuss about the Scarborough Reef in the Philippines (Goh, 2005).

It can be seen from the natural wealth owned by the South China Sea region. Several countries are trying to protect their sovereignty over the area. For example, the Republic of the Philippines claims the South China Sea as part of its history, dating back to the former Spanish and United States colonial periods in the Philippines. Brunei and Malaysia also claim the South China Sea. Malaysia claims sovereignty over four islands and three rock formations in the Spratly Islands. It is based on the territorial sea, continental shelf, and the Exclusive Economic Zone.

The Paracel Islands in the South China Sea have also sparked the conflict between China and Vietnam. Vietnam has made historical claims to these islands since the 17th century. Furthermore, France claimed the Paracels and Spartans for Vietnam when it was the colonial power there. China has also asserted historical claims to the Paracel Islands and it recently wrested control of them from Vietnam. However, these conflicts arose between these two countries, including clashes between Chinese and Vietnamese vessels over the placement of Chinese drilling rigs in this island chain (Lendon, 2020).

As for Indonesia, China's claim to the South China Sea with the nine-dash line policy has been

considered to have violated the limits of Indonesia's Exclusive Economic Zone (EEZ) policy. Chinese claims that enter Indonesia's EEZ waters also have led to contact and conflict between Indonesian and Chinese fishing vessels and between Indonesian and Chinese patrol boats (Yahya, 2020).

China's nine-dash line, which forms a U, encloses most of the South China Sea



Source: (Storey, 2020).

Figure 1. China Claim (Nine-Dash Line) and Dispute Area

The problems that occurred also made several countries participate in this conflict. One thing underlined in the South China Sea issue is none other because in that area (South China Sea). Various natural resources can generate profits and very strategic places, namely those related to international trade routes. Therefore, several countries are trying to defend their claims to sovereignty over the South China Sea.

Talking about the conflict and sovereignty claims of countries over the South China Sea, there is a concept related to it. According to Hobbes, realism is a theoretical view of the attitude state that is interpreted as selfishness and trying to continue eternal power. If two people have the same interests, but they are not allowed to enjoy or have them together, they will become enemies. To end the conflict, they look for ways to destroy or oppress one another (Douglass, 2016).

The realism approach believes that power is sought not to embody moral values, but to encourage the acquisition of power (Donnelly, 2000). Humans initially lived in conditions of justice and equality, but this situation eventually changed with the changing times. Because humans are jealous, jealous and want to get more than they should. They will do anything to survive. Thus, it is called interest. The modern Realism Approach usually states realism as a theory

that emphasizes the concept of power and national interests. Even though the state plays a major role, aspects of the system between nations cannot be disputed because it is the main cause of decisions and police being implemented (Morgenthau, 1973).

The structure of realism believes that the behavior of every state is based on the desire to survive in an anarchic international system. The South China Sea dispute which originated from a unilateral claim by China, is one of the highlights for the international community, especially for countries that are directly involved or have an interest in using this trade route. It is the United States' response because America feels China is aggressive in fulfilling its national interests (France 24, 2021).

As for other countries, China's claims shown by the nine-dash line policy have made other countries feel threatened by their sovereignty. Sovereignty is important for several countries because it is a source of state vitality that needs to be maintained (Miller, 1986). On the other side, sovereignty is closely related to security. It concerns the state's ability to ensure territory security from all other countries' threats (Miller, 1986; Slayton, 2018).

Various studies on security in the South China Sea have been analyzed by scholars from several perspectives, both from the perspective of security in the South China Sea (Zha, 2001), the dynamics of ASEAN maritime security cooperation in the South China Sea and its implications for regional security in Asia. Southeast Asia (Swastika & Agussalim, 2016; Wardhana, 2021), analysis of dispute resolution (Rossiana, 2022), and the impact of the conflict in the South China Sea on civil-military relations in Southeast Asia (Djuyandi et al., 2021).

METHOD

Researchers used descriptive qualitative research methods, using qualitative methods to obtain in-depth data and analysis related to the phenomenon under study. The source of the data for this research consists of secondary data, namely the results of media reports and studies that examine security issues in the South China Sea, both from journals and popular books. Besides that, secondary data is also obtained from open documents issued by the United States government regarding their statements on tensions in the South China Sea, such as releases on the website asean.usmission.gov regarding America's position on claims in the South China Sea and America's position in supporting free shipping (freedom of navigation) on the defense.gov website.

The validity of various data obtained is checked through data validation techniques, which are carried out through triangulation of data or sources. By

using this method, various information obtained is first checked for truth by comparing data or sources related to events or phenomena.

RESULTS AND DISCUSSION

Before China reinforces its foreign policy on the South China Sea, issues involving maritime boundary disputes among ASEAN countries around the South China Sea can still be resolved through dialogue and diplomacy (Billo, 2013; Wiranto et al., 2017). However, the escalation of regional conflicts around the South China Sea is increasing because of China's claims to most of the waters of the South China Sea. China's policy to strengthen its position in the South China Sea cannot be regarded as nonsense. It is because China is strengthening its position in the South China Sea by deploying various patrol boats. Without hesitation, their ship disturbs other countries' fishing vessels and ready to face any country's coast guard ships (Agence France-Presse (AFP), 2022; Yahya, 2020).

China's behavior and claims over the South China Sea not only evoked reactions from ASEAN countries. It also occurs in the United States and its allies, namely the United Kingdom and Australia. The United States is a country that has interests in access to the South China Sea and has the principle of navigation freedom. They also analyze that if China controls the South China Sea, America will be disadvantaged by closing access to waters for American economic and trade traffic.

In addressing the South China Sea issue, America has expressed its position against China's unilateral claims. In countering China's strength, the United States also helped strengthen its military in the South China Sea. Military cooperation between America and the countries in ASEAN was even built to counter China's hegemony. They strengthen the United States military bases in the South China Sea and conduct Joint Exercises between the militaries of the United States, Australia, United Kingdom, Japan, and several countries in ASEAN, such as Indonesia, Malaysia, and Singapore (Bramasta, 2022).

The increasing arms race and the increasingly intense joint military exercises between countries are increasingly showing tensions and increasing international security threats in the South China Sea.

Conditions of Conflict in the South China Sea

Since the Cold War ended, the world has continued to experience various upheavals and problems. The biggest challenge faced by the international community after the Cold War is how to build a system of world management (global governance), to be more effective, and to be able to

control major changes that are and will fundamentally reshape the order of relations between nations in the future. The influence of this fundamental change was also felt in the Asia Pacific Region (Ras, 2001).

Countries in the Asia Pacific region are currently competing to build maritime strength and capabilities. Traditionally, countries except Japan do not have a strong tradition of maritime strength and capabilities in the Region. However, the situation is reversed, and regional countries are trying to build their maritime strength and capabilities. This is to increase the role of maritime power and capability in regional affairs. The existence of several maritime disputes in the Region is increasingly justifying this development. In addition, several regional countries have created new hubs for international trade which is a sign that their maritime strength and capabilities have increased (Susanto & Munaf, 2015).

The dispute was started by China's threat to all the islands in the South China Sea Region, in determining historical records, discovery sites, ancient documents, maps, and the implementation of island groups for fishermen. According to China, the South China Sea has been their nation's shipping lane since 2000 years ago (Peiwu, 2020; Usman & Afrizal, 2017). Beijing insists that the first people to discover and occupy the Spratly Islands were China. According to China, this is supported by archaeological evidence from the Han Dynasty (206-220 BC). Whereas Vietnam considers the Spratly and Paracel Islands to be part of its sovereign territory, where Vietnam says that since the 17th century, the two islands have not been under the control of one country and have occupied the Paracel and Spratly Islands (Bray, 2014; Chang, 1991).

Three important factors are contested, namely economics, strategy, and politics. These three factors are the motivation for the claimant state to defend its rights in the South China Sea region. In this case, disputes between parties in the South China Sea are concentrated in the two main islands, namely the Paracel Islands and the Spratly Islands. The countries that are claimant states for the Spratly Islands are Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam. The last two countries also claim ownership of Paracels which has been controlled by China since 1974.

From an economic point of view, it is very important, because of the South China Sea Region which is rich in oil, natural gas, and fisheries. On the other hand, from a strategic point of view, it is also very important, because control over the South China Sea, especially for China, will strengthen its status as a country that owns and is capable of world power. Furthermore, if from the regional perspective, it is "The Heart of Southeast Asia" from the

perspective of maritime activities, the command and control of the South China Sea will strengthen the country's position in maritime power from a political perspective and maritime issues. The South China Sea is concerned with territorial claims. Failure to defend its territory could lead to domestic problems, therefore, the claimant stated that the claimant state needed to defend itself according to its interpretation and opinion for the sake of state sovereignty.

Several problems have occurred, starting from bilateral disputes and disputes between countries. First, the quarrel over the Paracel Islands between China and Vietnam led to armed clashes in 1974 and there were casualties in 1988 (BBC News Indonesia, 2011). Seizing several islands in the Spratlys between Malaysia and the Philippines since 1979, and in 1988 as many as 45 Filipino fishermen were arrested by the Malaysian Navy for violating the Malaysian Exclusive Economic Zone (Ras, 2001). The conflict also occurred between the Philippines and Taiwan in fighting over the island of Itu Aba in the Spratly Islands which has been controlled by Taiwan since 1956 (Rosen, 2014; The New York Times, 1971). This issue almost became an armed conflict in 1971 when the Philippines tried to attack, but the action was thwarted by Taiwan (The New York Times, 1971).

Since 1950 the territorial struggle between countries has continued. The Philippines and China have competed between the Spratly Islands. Initially, the relations between the two countries were harmonious, and the aim was to resolve disputes through diplomacy. It was evidenced by the visit of the Head of State of the Philippines to China in 1975 tensions between the two countries.

The United States' Response to the Conflict in the South China Sea

The United States is a country that does not have a direct interest in the South China Sea because it has no interest in the sovereignty of its country's territory. The United States stated that its intervention in the South China Sea conflict was only to maintain peace between China and its disputing neighbors to create regional stability. Therefore, the US advocated that conflict in the South China Sea be resolved safely, peacefully, and following international law (Bidara et al., 2018; Moulton, 2022).

The cause of this conflict is that the South China Sea is one of the most commercialized areas because most of the world's trade and energy flows through this area. In addition, the South China Sea is estimated to have valuable mineral reserves, such as oil and natural gas. According to data released by the United States Mission Office to ASEAN, more or less \$4 trillion in trade passes through the South

China Sea in a year. More than \$1 trillion of that is tied to the US market. The ocean is home to an estimated \$2.6 trillion worth of offshore oil and gas. It also has some of the richest fishing grounds in the world employing around 3.7 million people in the coastal countries of Southeast Asia (Stilwell, 2020).

Tensions due to this conflict increased sharply at the end of 2014 when China began to build artificial islands in Spratly, where China used one of the artificial islands as a military base. This caused strong protests from the ASEAN countries involved in the conflict in the South China Sea. Considering that China's economic and military strength is far superior to theirs, these ASEAN countries are helpless. In terms of military spending comparison in 2018, the overall military spending of ASEAN countries is far below China. The combined military spending of ASEAN countries in 2018 was \$40,991 (in US\$ Million), while China's military spending that year was \$239,223 (in US\$ Million). Therefore, ASEAN is considered to need the United States to defend its interests in the South China Sea because the US allocates large funds for its military spending in the South China Sea, which is \$ 633,565 (in US \$ Million) (Foizee, 2019).

In the increasing intensity of the conflict due to the competition for the deployment of military power, Minister of Defense Ashton Baldwin Carter (2015-2017) once stated that the United States continues to play an important role in Asia and reject new territories dominated by China in Asia (Carter, 2019). To prove this point, the United States urged China to stop its construction in the Spratly Islands and asked China to negotiate with the warring countries. The United States has acknowledged that it wants to maintain maritime and fishing lanes. The US hopes to resolve disputes in the area peacefully following international law.

At first, China refused to negotiate, but through Foreign Minister Wang Yi, China stated that if other countries were not allowed to carry out reclamation in the area claiming to own the South China Sea, the development of the Spratly Islands would stop. When China stopped building on the Spratly Islands, the tensions in the region eased.

Conditions heated up again when Xi Jinping (President of China, 2017) reaffirmed China's sovereignty over the entire South China Sea, including the Spratly Islands (Chubb, 2019). Responding to the Chinese President's statement, the United States sent the U.S. Navy Destroyer to patrol the artificial islands built by China. This US military operation provoked Beijing's anger even more, even though America considered it an effort to fight China which was trying to limit freedom of navigation in international strategic waters (Ali & Blanchard, 2018).

The United States did so to demonstrate its rejection of Chinese claims in the disputed area. China condemned the actions of the United States and threatened to take firm action against anyone who violated its sovereignty, including the United States. On the Chinese side, they warned the United States to stop any provocations that could lead to military conflict and must do everything possible to maintain peace.

On the other hand, the United States believes that what they are doing is maintaining peace. This is because the South China Sea is an international area, so it becomes a free passage for anyone to pass. In addition, the United States stated that it entered into this conflict because its allies and partners asked for help in convincing China not to use its economic and military might to threaten its neighbors but to act according to international law.

As it is known, China is growing into a developing country, especially in the Asia-Pacific region, and China has predicted that one day it will surpass the strength of the United States. Given China's rapid development and the support of adequate natural and human resources, this is not impossible. What happened to China is a big threat to the United States as the only superpower in the world. They certainly don't want anyone to have their power, and China's claims to the South China Sea have exacerbated the concerns of the United States because the South China Sea is a very important area in world trade and has rich mineral resources.

According to the Energy Information Administration, this wealth includes about 11 billion barrels of oil plus about 190 trillion cubic feet of natural gas. This wealth is found around the large islands and coral formations in the South China Sea. It includes the Spratly Islands, Paracel Islands, Pratas, Natuna Islands, and the Scarborough Shoal (Zorlu & Alam, 2019).

China will become stronger in the economic and military fields if its' government succeeds in claiming territory in the South China Sea because they also have established many military outposts in the region. Seeing these threats, the United States actively sent warships and urged China to resolve disputes by international law to prevent Chinese countries from claiming ownership of the South China Sea. The United States did it to prevent China from becoming stronger, while the United States still occupies an important position or influence among Asian countries.

Forms of United States Involvement in the South China Sea

When the United States was asked to play an active role in resolving conflicts in the South China

Sea, the United States launched a core military strategy aimed at Asia. The United States stated that it intends to take action in this conflict to shift power and strategy to Asia, which has been placing a lot of pressure on emerging economic powers. Vietnam and the Philippines have asked the United States to increase its presence to match China's growing power. In 2011, Vietnam and the Philippines even doubled their defense budgets. It was seen as a planned five-year joint military exercise with the United States.

The steps taken by the United States to stem Chinese influence were carried out in various ways, like the TPP (Trans-Pacific Partnership) which did not involve China and indeed formed to confine Chinese influence in the economic field. It is a representation of the policy of giving to Asia. The Obama administration's pivot or balancing to Asia has shaped the Obama administration's stance on international law. The pivot or balancing is primarily about regional security in East Asia.

The most obvious form of engagement is the United States policy of strengthening its military presence in the region to respond to China's sovereignty claims in the South China Sea and disputed islands such as the Spratly and Paracel Islands. The joint training program implementation in Southeast Asia is supported by an effective infrastructure and assistance program for allies, especially the Philippines. Although many countries have claimed the South China Sea, the United States considers the South China Sea to be free waters and other waters.

The United States has also mobilized its armed forces and conducted freedom of navigation operations. Since 1983, it has been determined that the United States shall exercise and claim its rights and independence of maritime navigation and maritime transit rights throughout the world consistent with the balance of interests reflected in maritime treaty law. The United States will not agree to unilateral actions aimed at limiting the rights and freedoms of the international community, as well as maritime navigation, overflight, and other maritime uses.

CONCLUSION

The South China Sea conflict is an international conflict with serious implications. Seeing this, the United States as a superpower country does not remain silent but also participates in balancing security for countries that feel they are being claimed. Because the claims made by China are considered to limit the rights and freedoms of the international community in the use of waters in the region. Thus, the United States took part in the conflict that occurred in the

South China Sea, based on the 1982 United Nations Convention on the International Law of the Sea which was agreed upon by the 1982 United Nations Conventions on The Law of The Sea.

Therefore, the United States is also a superpower and is automatically responsible for stabilizing the situation in the world. On the other side, China is considered a new power in Asia because it is capable of defeating the United States and becoming a hegemonic power. In addition to economic interests, the United States has national security and defense interests, because these two interests are related. Protecting the alliance from attacks is one of its interests.

The United States is willing to fight for the freedom of the South China Sea, which is vital in the flow of energy. The United States also stated that all countries should be able to freely exploit resources under the seabed in international waters. However, the United States was unable to take decisive action, not only because it gave rise to a bigger conflict, but also because China has equal strength with the United States, especially in economic and military power. Presence of China in the Southeast Asia Region is the most powerful country.

The United States' perspective considers the South China Sea a free water like any other water. The United States also mobilized its armed forces and carried out freedom of navigation operations. United States policy. Since 1983 it has been determined that the United States shall exercise and assert its rights and independence of sea navigation and overflight rights throughout the world in a manner consistent with the balance of interests reflected in the law of the sea conventions. The United States will not approve of the unilateral actions of another nation that is designed to limit the rights and freedoms of the international community and sea navigation, overflight, and other uses of the sea. This is due to the importance of the South China Sea Region for the United States, namely international trade routes.

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