

How to Cite This Article: Iqbal, H., & Ahmad, I. (2023). The New Cold War: Sino-US Rivalry in the South China Sea and Repercussions on the Region. *Journal of Social Sciences Review*, 3(1), 413-421.
<https://doi.org/10.54183/jssr.v3i1.175>



The New Cold War: Sino-US Rivalry in the South China Sea and Repercussions on the Region

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Vol. 3, No. 1 (Winter 2023)

Pages: 413 – 421

ISSN (Print): 2789-441X

ISSN (Online): 2789-4428

Key Words

New Cold War, China, United States, South China Sea (SCS), United Nations Convention on the law of the Sea (UNCLOS), Nine Dash Line.

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Abstract: The Sino-US relationship has seen many drawbacks and triumphs over the years. Today they both are struggling to legitimize their rule and capabilities while also contesting and, at times, defying one another. Afterwards, the conclusion of the Cold War, a general sense of amusement ran over policymakers in the United States, and western scholars started to debate over the “End of History” and celebrated the glories of “liberal democratic order” however, the revival of the Chinese diplomacy brought back novel fears of the advent of a New Cold War, this time between the Cold War allies. This paper aims to explore the Sino-US Cold War, particularly at the heart of the Indo-Pacific at the South China Sea. The highly disputed waters of the South China Sea are proving a testing ground for both China and the United States. Furthermore, the relevance of the United Nations Convention on the law of the Sea (UNCLOS) and its alleged violation by China is also the focus of this paper. Defying the United States in the South China Sea as well as forging a business partnership with the US, will be much more challenging for China. This qualitative research explores the start of the New Cold War and how it might escalate into a never-ending battle of power and dominion.

Introduction

Our understanding of the world, particularly of the growing powers, is important. How competing powers struggle to achieve dominance in the game of power must be comprehended. In particular, the emerging role of China in global politics is of supreme importance. For opportunists, the rise of China is a game changer and brings forth splendid opportunities, while for others, like the United States, China is a challenge. Its conduct in the South China Sea is quite perplexing and worrisome.

China has made claims to up to 90% of the South China Sea in recent years, a band of water that has previously been considered international waters. China has also developed islands and atolls in the South China Sea's Spratly and Paracel island systems, augmenting them with

underwater dredging and military outposts. However, The US frequently disregard China's claims, sailing ships and flying planes over international waters to highlight its right to circumnavigate what it contemplates in international waters.

For decades the central stage in world politics has been actively dominated by the United States of America. During the initial stages of the Cold War, the Soviet Union stood against the US hegemonic order; however, it was toppled in a minute period of time. Today the question of China poses a deep headache for the USA. China's strategy to take on board world Nations through diplomacy, as one Professor of Peking university said, “An imperative motive why China now progressively values multifaceted diplomacy is

US hegemonic behavior after the Cold War and its superpower spot.” This sudden change of strategy during the reign of Xi Jinping has given China the extra confidence to spread its influence beyond the Chinese borders and to the vast lands of the English people.

Literature Review

Unlike the Arctic, the Pacific waters were more stable and not faced with state rivalries. But there was a sleeping giant waiting passionately to awake and disturb the balance in the region and beyond. The cold war sandwiched between the Soviet Union and the U.S. is long over; the Soviets, in the end, were defeated and dislodged. The contemporary eras today are dominated by a series of trade wars, technological wars and other means of hybrid warfare, and the main actors are the United States and China, whose bilateral trade is \$ 2 billion per day. The stakes are high, dependence is real, and the stage is set. Furthermore, the South China Sea is believed to have sixteen to thirty-three billion barrels of oil and about 190 stacks of cubic feet of natural gas (Lieser, [2021](#)). In retrospect, the United States, after the cold war, emerged as the sole protector of the integrity, sovereignty and territoriality of independent states, and a unipolar world order headed by the United States came to the forefront. The United States swore to protect freedom of navigation of the seas, but the swaying influence of the U.S. crumbled with the emergence of China. China, which has been out of the picture for quite a long time, made an abrupt appearance and its growing economic and trade influence is seen and felt not only in Asia but around the world. Chinese President Xi Jinping once said ‘We should foster a new type of international relations featuring win-win cooperation’, he further stated, “we should forge a partnership of dialogue with no confrontation and of friendship rather than alliance” (Frankopan, [2018](#) p. 94). The oceans, once policed by U.S frigates and aircraft carriers, started to be dominated by the red flag-carrying ships. China,

which has once been humiliated by the international community, is ready to mark the beginning of a new Cold war with its rival, the U.S. it aims at the revival of ancient trade routes of the Silk Road, boosting its economy and human resource.

China exercised its influence in the South China Sea by rebuffing the resolution on the Law of the Sea and the freedom of navigation when it announced its own map, popularly known as the nine-dash line map, for the first time in 2009 (Mollman, [2016](#)); tensions have thus continued to mount after that. China has built several artificial islands which create hindrances to the maritime activities of littoral states such as Malaysia, Vietnam and the Philippines, restricting their movements in their respective exclusive economic zone (EEZs) (Trang, [2019](#)). The United States, which aims to preserve the status quo and ensure the freedom of navigation operations, is also employing significant authority in the South China Sea region, both are competing well enough to run for rivalry, and both have the nerve to confront each other. As it is estimated that the South China Sea might have oil reserves of seven billion barrels and a projected 900 tons feet of natural gas, China is desperate for new energy sources, and it does not have a valuable sum of oil reserves, an estimated 1.1 per cent of the world entire oil reserves are in China which is seemingly not enough to fulfil the needs of a country that devours over 10 per cent of world oil and about 20 per cent of other energy resources (Kaplan, [2014](#)).

The highly contested waters of the South China Sea still remain a mystery and a boiling cauldron; nuclear states such as Germany and France have also joined the U.S in its struggle to ward off China from becoming a regional hegemon while China is striving to keep the U.S and its allies out of Asia. The role of the United States is ambiguous yet interesting. A congressional research report issued in March 2021 claims that the United States remains neutral on opposing rights by claimant states

over the sovereignty of disputed territories in the South China Sea. However, the United States does have a position on how competing claims must be resolved. The United States might want to see a stable and conflict-free South Asia. It aims at preserving the status quo. China, on the other hand, is trying to impose its will upon neighboring countries that are party to the South China Sea dispute. One high ranking official of one of the South China Sea's seaside states said that the Chinese will never give any justification for their claims and that they have a real 'middle kingdom' mentality-by creating artificial islands and deploying military in the region.

"Aristotle writes, in a manner that recalls Shakespeare, that conflicts arise not over small things but from small things" (Kaplan, 2014, p. 168).

Experts suggest that chances of direct confrontation between China and the U.S. in the South China Sea might escalate due to the recent recrimination of the U.S. over the coronavirus pandemic (Mastro, 2020). In 2017 during the Shangri-La dialogue, the then secretary of defense Jim Mattis acknowledged China's role as a major supporter of the United States in the containment of North Korea, but he also criticized China's action of militarizing the South and East China Sea, Jim Mattis was of the view that China should cooperate with the claimant states in the South China Sea to devise a peaceful strategy for water sharing and that China should not violate International Law by constantly boasting the importance of the so-called nine-dash line. The secretary of defense ardently stated that the United States would not allow any kind of unilateral coercive changes to the status quo of the region. Moreover, he said in a calm tone that the United States is dedicated to the protection of the Law of the Seas and the territorial constitutional rights of claimant states of the South China Sea (Mattis & John Chipman, 2017).

Problem Statement

The increasing influence of China in the South China sea and her emphasis on the control and administration of the entire waters of the South China sea is creating serious problems for the United States in the wake of the much talked about 'New cold War', as the United States believes in the freedom of the seas and has cordial relations with littoral states of the South China sea. Sino-U. S or the start of a new Cold War might have some serious repercussions on the region and beyond.

Research Questions

1. Will the power struggle between the United States and China in the South China Sea result in a major military face-off between the two powers?
2. Is China violating the UNCLOS by asserting the importance of its historical nine-dash line?

Research Objectives

- To investigate the power struggle between the U.S. and China, particularly in the South China Sea.
- To examine whether China is violating the United Nations Convention on Law of the Sea (UNCLOS).
- To analyze China's rise in the western and Indo-pacific and its race towards becoming a regional hegemon.

Research Methodology

The methodology used in this study is based on a qualitative approach. Secondary sources were utilized, and data was collected from various articles, research journals, websites, online interviews, reports, media analysis, and official government documents.

Discussion and Analysis

Importance of the South China Sea to the US

In the Chinese eyes, The United States is causing China problems and impeding its climb to great

power status. The Chinese want the United States to leave the South China Sea as well as the western Pacific. China's ambition to create a regulator over the marine area and the riches it contains has caused America to be anxious about the South China Sea. China claims "indisputable authority" over the region, but other claimants, including Vietnam, Brunei, Malaysia, and the Philippines, have the decree on their side. The South China Sea has turned out to be a key region for China's naval strategy, which includes obstructing Taiwan and projecting force into the Indian and Pacific Oceans. The future of the present regional directive, as well as the safety of America's allies, Japan and South Korea, are on the line. The US must protect the regional alliance structure and assure local countries worried about China's ambitions in order to uphold its geopolitical place in the western Pacific. Giving the Chinese jurisdiction of the South China Sea (SCS) would jeopardize the union structure and America's position in the western Pacific and also weaken its reputation among allies of the region. China would turn out to be the region's dominating force, and regional countries would flock to it. In reply to China's activities, the Obama government tossed "freedom of navigation" naval patrols in the South China Sea in Oct. 2015, conveying a clear message that the US would not be pushed out of the region and would never abandon its allies.

china's Nine Dash Line Policy and the United Nations Convention on the Law of the Sea (UNCLOS)

The United Nations Convention on the law of the sea, or UNCLOS, is a set of principles that are agreed upon by all nations party to the convention. These set of rules are destined to abstain states from violating one another's maritime claims and rights. The (UNCLOS) was adopted as an intercontinental treaty in 1982. It took control of the IV Geneva Conventions, which dealt with the territorial sea, contiguous zone, as well as the continental shelf, the open sea,

aquaculture, and the security of respiratory resources on the high seas, accordingly, in April 1958. The UN Convention on the Law of the Sea launches a complete system of law and order in the world's seas and oceans, with regulations controlling all uses of the seas and its resources. It cherishes the impression that all difficulties about Sea space are entwined and must be held as a total. UNCLOS grants nations full money rights over a 200-mile zone along the seashore. The sea and marine beds that extend to this region are well-thought-out a country's Exclusive Economic Zone (EEZ), and that country can deed these seawaters for commercial determinations.

On the other hand, China in the SCS rests its entitlements on the concept of the nine-dash line. A separation line that encloses 80 to 90 per cent of the disputed seas is recognized as the Nine-Dash Line. The nine-dash line indicates a "box" inside of which China entitles dominion over any tall-tide height and autonomous constitutional rights over any resulting marine zones (e.g., territorial sea, EEZ, or continental shelf). China's jurisdiction prevails along the whole South China Sea, seemingly violating UNCLOS and the maritime rights of claimant states like Vietnam, the Philippines, and Brunei. Chinese academicians and others claim that they follow UNCLOS in the expression of present arbitral court proceedings in The Hague and international disparagement, but this is not the full picture — a separate set of permissible rules smeared in the zone. To put it in an alternative way, China is stating that while it complies with UNCLOS, it is not the appropriate law to apply in this case (Tsirbas, 2016). The nine-dash line map is built on a map of the SCS that was initially produced by a section of the Republic of China and showed 11 lines creating a U-shape. In 1948, the ROC government asserted sovereignty above the islands and reefs inside the lines, as well as the right to maritime resources. That line was acknowledged when the PRC was founded. Taiwan's claim has been somewhat modified since 2005, focusing on the islets, their adjacent

seas, and the continental shelf, somewhat claiming the entire body of water in the U-shaped line. In December 2005, the ROC “postponed its claim to the whole waters” inside the boundary. It maintains authority over land features inside the boundary.

U.S. Involvement in the South China Sea

On the surface, the SCS, which had been a flashpoint of relations amongst China, Southeast Asian countries, and the US, seemed to have calmed down within the last calendar month. China and five other countries claim the property in the SCS, which is important and may produce substantial fuel reserves.

The United States has included right, frequently directs ships through the SCS, and considers the seas as vitally tactical. This approach, on the other hand, incensed China. Furthermore, a number of elite Chinese leaders appeared to perceive the South China Sea as an "essential interest" that is as impervious as Taiwan and Tibet—rhetoric that China has lately stifled but not eliminated. Chinese warships cut the cables of Vietnamese vessels working in the SCS earlier this year.

Meanwhile, Vietnam has boosted its engagement with India, which seems to infuriate Beijing just as much as the US' continuing existence at sea. Vietnam and India have formed a combined energy investigation initiative in the SCS, which has been strongly convicted by Chinese media. The Financial Times wrote that the Chinese navy approached an Indian warship exiting a Vietnamese port in late July. It was the first time China and India had collided at sea, and it prophesied upcoming scenarios. In the Disputed SCS, energy is becoming progressively crucial to all parties. Notwithstanding the Chinese objections, India and Vietnam intend to continue their survey west of the unresolved Spratly Islands, whilst ExxonMobil aims to drill an exploring well off the Chinese shore this year

or next, and China National Offshore Oil Corp is alongside increasing their examination.

The Obama administration has recommended a strong but limited strategy for the South China Sea, relieving tension with Beijing to some extent. Nevertheless, as ASEAN Countries seek sustenance outside of ASEAN, America will have to perform a greater role in the debate. India, a key ally of the U. S., is becoming progressively enmeshed in the SCS, with China maintaining that its claims are unattainable. (Kurlantzick, [2011](#)). Furthermore, the US encourages freedom of navigation missions and has increased its authority over the world's oceans. That is why the United States is bolstering its presence in the sea, which would invariably give China difficulties.

The US is involved because its pact allies and associates want help persuading China, a humongous and close power in Asia, that it should not use its recently designed economic and military power to impose its will on its neighbours and friends but rather make and follow international rules with other Indo-Pacific countries. The US also wants to ensure that trade routes and lines of communication are preserved on these crucial waterways, which transport almost two-thirds of global trade and a significant proportion of the world's energy resources to markets, in accordance with the principle of freedom of movement. (Bower, [2015](#)).

Domination of the indo-Pacific; Repercussions of the Sino-US. Vie

The phrase "Indo-Pacific" is a novel one, and different countries define it differently. It is defined as an area that stretches from the east shore of Africa to the westward shore of the U.S. It is a vital global trade road, and its significance for the United States has grown since China's emergence as a novel financial power. As a result, the US seeks to establish a dominating spot in the area in order to offset China's rising influence (Samo, [2020](#)).

Chinese authorities launched long-term preparations for a navy and aviation organization focused on sea control that was meant to retain distant maritime territory in the late 1980s while they turned their attention to local conflicts and territorial disputes. When the US became a danger, however, Beijing abandoned that policy in favor of one centred on sea denial, preventing the US military from transiting or controlling the waters around China (Doshi, [2021](#)). The United States have, over the years, adopted several policies in order to have control of the most crucial region of the Indo-Pacific. Some of these policies are as under.

Revival of Quadrilateral Security Dialogue (Quad): In reaction to Increasing Chinese economic and political force in the region, the US, Australia, Japan, and India founded the Quadrilateral Security Dialogue, a diplomatic and military collaboration. Given the magnificent position of these four countries, it is a highly important military alliance. Quad was shut down and could not be revived for a long period. The Trump administration revived it in 2017, recognizing its relevance to the Indo-Pacific region. Furthermore, Trump elevated the Quad to ministerial status in September 2019. These nations have stated their intention to work together on maritime security and regional connectivity. As a result, the resurgence of the Quads may be considered an American success story in the Indo-Pacific area.

Consequences of the Sino-US Rivalry

In international politics, the rising stiffness amid China and the United States has now developed into the new normal. Since Electing Trump as President of the US in late 2016, it has turned out to be evident that the Sino-American hostilities are multi-faceted, touching political, economic, security, scientific, and ideological sectors. The nuances between Washington and Beijing have started to change the world stage without animosity, raising philosophical questions and

the depth of Chinese influence overseas. Few observers are undecided about the future consequences of China's rising worldwide influence, as the Chinese Communist Party (CCP) is suspected of stepping up attempts to endorse Beijing's severe principles (Bachulska, [2019](#)).

The United States has recently undertaken punitive measures aimed at not just constraining but also aggressively contesting China's political objectives. The burgeoning US-China antagonism has taken a range of shapes, ranging from concerns over human rights to concerns over employment at military facilities. The US has boosted its efforts to strengthen ties with friends on China's western and eastern borders, the benefit derived from quad partners (Australia, Japan and India).

While the US is attempting to counterbalance China by working closely with India, US policymakers are more suspicious of Pakistan's tight ties with China, particularly as US-China strains linger to rise. To start with, the US welcomed Chinese projects of CPEC in Pakistan with scepticism as a method of supporting Pakistan's financial stability (without the US needing to foot the bill). Senior American leaders have repeatedly cautioned Pakistan to be cautious of Chinese debt diplomacy, noting that transferring over Gwadar to the Chinese administration is the primary stage toward the profitable harbor turning out to be a dual-use capability (Ali, [2020](#)).

China is a totalitarian regime with a history of human rights misuse. Whatever China undertakes in the next years to repair its globally tarnished image in the post-COVID-19 world will not be simple. Because this isn't the initial time a viral illness has started in China, the world will be watching for changes in the country's market practices. The US and the Western world, particularly the G7 developed nations, will be shaken by COVID-19. It will force them to rethink their supply chains in order to reduce their dependency on China and move production to

develop nations in Asia, Africa, and Latin America. In this perspective, India will be critical, as it is the only country that can match China's industrial size.

Whether a second cold war is already started or just a more plausible scenario is a matter of debate. In any case, it would be foolish to overlook the first one's terrible consequences. It is mostly remembered in European terms as the West's ultimate triumph, but even it was a pyrrhic success. It's important to remember, though, that for many nations in Asia, Africa, and Latin America, it was a nightmare that no one wants to repeat. Given its little role in the development of such rules, China naturally resents being pushed to play the trade game by the "rules-based system" (Ali M., [2021](#)).

There has been a plethora of books written on China from the standpoint of the global dominance struggle amid the United States and the globe's newest superpower. This is understandable, given that it is the most significant connection on the planet. The United States' top foreign policy priority is China. The Biden administration has often said this, as well as the fact that ties with China would be combative, competitive, and cooperative. The two high-level meetings between them in Alaska and, more recently, in China signal that their relationship may face more turmoil in the future. Chinese officials condemned Washington's "adversarial tone" as a thinly veiled attempt to "suppress and restrict China" during discussions in Beijing, adding that relations had "severe problems." They also warned the United States not to regard China as an "imaginary opponent." All of these works regard America's rivalry with China as the defining dynamic of this century, albeit they arrive at various conclusions about who will succeed. These books also provide policy recommendations to Biden's staff on how to successfully oppose China in order to retain America's global leadership.

Conclusion

The most discussed controversy of the 21st century is the emergence of the new world order, championed not by the west but by an ancient empire that seeks to empower the world through diplomacy, trade and business. The arena for the new cold war seemed the hostile and much more important trade route of the SCS, where both the United States and China were actively engaged in a partial face-off. As depicted in the study, China is time and again violating the UNCLOS. However, it argues by bringing in the historical concept of the Nine-Dash line, which according to the international body, has no legal roots.

Meanwhile, the United States and other nations contest these territorial claims, and the US Navy conducts frequent operations in the waters near several of these islands. Allies have also lent their backing to the US in its fight against China's territorial claims in the area. The United States conducts these operations in the name of Freedom of navigation (FONOPS), which she claims to have a legal basis. In a symbolic defiance to China, France, Japan, Australia, and New Zealand have recently boosted their operations in the Pacific waterways.

If the United States and China are going to get along with one another, it will be the highly debated issue of Global Warming because both of them are facing harsh consequences due to Climate Change. Furthermore, the increasing competition between China and the United States will have disturbing results for the claimant states of the SCS. The role of (ASEAN) in the SCS quarrel will be tested. The ASEAN Charter makes it clear that situations like the South China Sea conflicts affect all of ASEAN. One of the organization's key goals, according to Article 1 of the charter, is to "keep and improve peace, safety, and constancy...in the area. The phrase "region" refers to all geographic regions where member states have sovereignty, sovereign rights, and jurisdiction, such as all ASEAN nations' land, territorial sea, exclusive economic

zone, continental shelf, and airspace, according to Article 2 of the charter. As a result, the SCS clearly falls inside the geographic location of ASEAN. In addition, the issue concerns China's claim to a number of islands, the most well-known of which are the Spratly and Paracel islands. Many coastal states claim influence over these islands, which has resulted in conflict. The Spratly Islands, in particular, are the hottest area in the case, with major natural resources, including oil deposits, gas, and fisheries.

However, each country's level of engagement in the Spratly Islands conflict differs. Brunei and Indonesia make no claims; Malaysia and the Philippines claim a portion of the Spratlys, while Vietnam, Taiwan, and China claim the entire group. Furthermore, military operations by various claims in sensitive areas increase the pressure on people who wish to resolve the issue peacefully. China's massive defence spending and the building of the country's first aircraft carrier are seen as a message to other countries participating in the SCS.

The Sino-U. S competition is evident, and the gaps between China and the United States are wide. Much is at stake. Whether the United States and China will confront each other with a jam-packed war is the question of the 21st century. China's diplomatic tactics and strategy have proved quite challenging for the United States in the past. The notion of the New Cold War is real and dangerous. One among the two must stand down in the game of power.

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